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Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Eternal Lord God, we praise You for surrounding us with the shield of Your salvation. When we cry to You for help, You are always near, ever ready to comfort and cheer. When we remember what You have already done to bless our Nation and our lives, we can only declare, ''Great is Your faithfulness.''

As our Senators strive today to do Your will, remind them that Your love has no limits, Your hope has no restrictions, and Your power has no end. Guide them as they seek to discern what is best for our Nation and to courageously vote their convictions.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 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 KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

FAMILY AND BUSINESS TAX CUT CERTAINTY ACT OF 2012—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 499, S. 3521, which is the tax extenders legislation reported out of the Finance Committee previously.

The ACTING PRESIDENT pro tempore. The clerk will report the motion to proceed.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 499, S. 3521, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions.

SCHEDULE

Mr. REID. Madam President, following my remarks and those of my distinguished friend, the Republican leader, the Senate will resume consideration of S. 3457, the Veterans Jobs Corps Act. The time until noon will be equally divided on that matter. At noon there will be a rollcall vote on the motion to waive the Budget Act with respect to the Veterans Jobs Corps bill. The Senate will then recess until 2:15 for our weekly caucus meetings.

At 2:15, there will be a cloture vote on the motion to proceed to the continuing resolution. There could be additional votes with respect to the Veterans Jobs Corps Act this afternoon or subsequent to a vote at noon.

The Republican leader and I have had a conversation this morning where we have discussed the rest of the week and next week, perhaps, and we are trying to move forward and get this done. We have certain things we have to get done, but there is nothing—nothing—more important than getting the funding for the country. I appreciate the House sending it to us in the fashion they did. So I think it behooves us to get this done as quickly as possible.

MEASURE PLACED ON THE CALENDAR—H.R. 5949

Mr. REID. Madam President, I am told H.R. 5949 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years.

Mr. REID. I object to any further proceedings.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

THE OTHER 47 PERCENT

Mr. REID. Madam President, for months I believed Mitt Romney wanted to be President of all of the United States. This week we learned Mitt Romney only wants to be President of half the United States.

If Mitt Romney were President, he wouldn't waste time worrying about the 47 percent of Americans whom he believes are ''victims''—whom Romney believes are unwilling to take ''personal responsibility,'' and those are his words, not mine. He can only worry about how the other half lives, I guess. That is what Mitt Romney told donors at a closed-door fundraiser in Florida a month or so ago.

But it turns out it wasn't closed. Someone videotaped every word he said to his wealthy donors. This is, among other things, what he said:

There are 47 percent who . . . are dependent upon government, who believe that they are victims, who believe that government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you name it.

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

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Mitt Romney said his job as President would not be ''to worry about those people.'' But half of Americans are ''those people.''

He went on to say: ''I'll never convince them''—this is a direct quote—''they should take personal responsibility and care for their lives.''

So who are those Americans Mitt Romney disdains as ''victims'' and ''those people''? They are not avoiding their tax bills, using Cayman Islands tax shelters or Swiss bank accounts like Mitt Romney. Millions of the 47 percent are seniors on Social Security who don't have Bain Capital retirement funds or inherited stock to fall back on. Many of the 47 percent are students reaching to afford university tuition so they can become nurses or teachers or attend a community college to become an electrician or welder or a lab technician. Some of the 47 percent have disabilities whose challenges are already a full-time job, but still are actively seeking opportunities in their lives. Millions more of this 47 percent have been unemployed since the great recession—not because they are freeloaders or can't be bothered to get a job but because some private equity funds closed their factory and shipped their jobs off to China. Large numbers of the 47 percent are active-duty members of the military fighting for their country overseas. More of the 47 percent are veterans getting an education earned through dedicated service. Many of the 47 percent are mothers and fathers working minimum wage jobs but still struggling—and struggling every day. Others of the 47 percent are middle-class families raising children with a little help from the earned income tax credit and the child tax credit—a hand-up Republicans once bragged about helping to enact and, by the way, signed into law by that ''liberal'' Ronald Reagan. The 47 percent are ordinary hard-working Americans who deserve respect, especially from the man who wants to be their President. And these Americans pay a slew of other taxes, including State income taxes, payroll taxes, property taxes, and sales taxes. But, in Mitt Romney's view, they still don't pay enough.

So let's ask a question: Whose taxes would Mitt Romney raise? Would Mitt Romney raise taxes on retirees who have paid into Social Security all their lives and are counting on it to get them through their golden years? That is a question.

Another question: Would Mitt Romney raise taxes on mothers and fathers who work hard but still struggle to put food in their children's mouths? Ronald Reagan thought there were certain people who maybe need a little help and so we shouldn't do that. I agree with Ronald Reagan.

Would Romney raise taxes on middle-class families stretching to afford diapers and day care at the same time? Would Romney raise taxes on Americans with disabilities striving to live full and productive lives? Would Romney raise taxes on students stretching every dollar to afford tuition? Would Romney raise taxes on men and women serving overseas in the military who make untold sacrifices to preserve America's freedom and democracy not because they are getting rich doing it but out of a deep sense of duty?

So whose taxes would Mitt Romney raise? We know he wouldn't raise taxes on millionaires and billionaires or companies that ship jobs overseas. He has made that very clear. If a person is a math teacher or a maid or a single mother, it won't be Mitt Romney's job to worry about those people. If a person is a multimillionaire, Mitt Romney won't rest until they get a quarter of a million dollar tax cut. That is what the Ryan budget does and Romney likes that.

For all we know, Mitt Romney could be one of those who has paid no Federal income tax. Thousands of families making more than $1 million pay nothing in Federal income taxes each year. I will repeat that. Thousands of families making more than $1 million a year pay nothing in Federal income taxes. Is Mitt Romney among those? We will never know since he refuses to release his tax returns for the years before he was running for President. But from that one return—the only one we have seen—we know Mitt Romney pays a lower tax rate than middle-class families, thanks to a number of things he has done, including Swiss bank accounts and Cayman Islands tax shelters. And we can only imagine what new secrets would be revealed if he showed the American people a dozen years of tax returns as his dad did.

Mitt Romney believes in two sets of rules—one for millionaires and another for the middle class and the poor. If a person has money to hide in Bermuda and Switzerland, can that person not afford to pay a few pennies more to balance the budget or to reduce the deficit? Mitt Romney says no. But if a person is retired or poor, disabled, a student, or even a returning hero who fought for our country, Romney believes that person can afford to pay more taxes.

This rare look at the real Mitt Romney—this rare look we got from a man who was at a fundraiser for him—proves one thing: He is completely out of touch with average Americans. If he won't stand up and fight for every American—every American—as President, then he does not deserve to serve any American as President.

RECOGNITION OF THE MINORITY LEADER

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

SUU KYI GOLD MEDAL CEREMONY

Mr. MCCONNELL. Madam President, later today Congress will award the Congressional Gold Medal to Daw Aung San Suu Kyi, a remarkably courageous woman whose cause I have taken a particular interest in over the years.

Suu Kyi's story is so powerful it is almost hard to believe it is all true.

Her father Aung San, the architect of Burmese independence, was assassinated when she was a toddler. She lived in India for a time, worked at the U.N. here in the United States, and eventually married and settled into a happy and comfortable life with her professor husband and two boys in Oxford, England.

That quiet, suburban life changed forever one night in the spring of 1988. She got a phone call that her mother had fallen ill back in Burma. She left to take care of her the following day and arrived to find a revolution already underway.

As her father's daughter, Suu Kyi was regarded as a natural fit to fill the role.

Years earlier, Suu Kyi had a premonition that her people might need her one day, so much so that when her husband proposed marriage, she agreed, but on the one condition that if her people ever needed her, she could go. He agreed without hesitation. More than two decades later, he made good on his pledge.

With Suu Kyi under house arrest in Burma, her husband fell ill with cancer back in England. She knew she would be allowed to leave, but she also knew she wouldn't be allowed to return to Burma once she did. So with her husband's support, Suu Kyi made the difficult decision to stay. For nearly two decades—two decades—she remained under house arrest in her mother's old home on University Avenue on the shores of Inya Lake.

Over the years, I have followed Suu Kyi closely and I have done what I could to advance her cause. Along with Senator FEINSTEIN, I have worked to get the Burmese Freedom and Democracy Act enacted every year since 2003 as a way of pressuring the regime to reform itself. My colleague Senator MCCAIN has been active on this issue and has had the opportunity to visit with her several times.

If not for the quiet determination and simple confidence of this remarkable women, democratic reforms might have seemed a lost cause under the Burmese junta. But in November 2010, we were all encouraged when Suu Kyi was finally released from house arrest. And since then we have seen other hopeful signs.

I was allowed the privilege of actually traveling to Burma earlier this year to meet with Suu Kyi and discuss some of the reforms we have seen. On April 1, Suu Kyi won a seat in the Burmese Parliament. We cannot be sure that the progress we have seen in Burma will last, but we are cautiously optimistic.

It is a great privilege to be able to honor this woman who has done so much for the Burmese people and for the cause of democratic reform and human rights around the world. I am also honored that Suu Kyi has graciously agreed to speak about her incredible journey and the cause of democratic reform and human rights at

the University of Louisville next Monday. I know the students and the larger community there are all looking forward to her visit.

But for now, this is a truly special day here at the Capitol. It has been a long time coming. We are honored to have this hero with us today and delighted to award her our Nation's highest civilian honor.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

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

VETERANS JOBS CORPS ACT OF 2012

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 3457, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 3457) to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Pending:

Reid (for Murray) amendment No. 2789, in the nature of a substitute.

Reid amendment No. 2808 (to amendment No. 2789), to change the enactment date.

Reid amendment No. 2809 (to amendment No. 2808), of a perfecting nature.

Reid amendment No. 2810 (to the language proposed to be stricken by amendment No. 2789), to change the enactment date.

Reid amendment No. 2811 (to amendment No. 2810), of a perfecting nature.

Reid motion to commit the bill to the Committee on Veterans' Affairs, with instructions, Reid amendment No. 2812, to change the enactment date.

Reid amendment No. 2813 (to (the instructions) amendment No. 2812), of a perfecting nature.

Reid amendment No. 2814 (to amendment No. 2813), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

KNOWING WHO YOU REALLY ARE

Mr. DURBIN. Madam President, Bill Daley is a businessman in Chicago and a friend of mine. A few years back he was the chairman of the Al Gore Presidential campaign. We all know how the campaign ended in the Florida recount. Bill was contacted several years later by those who wanted to run for President. They made their trip to Chicago and asked Bill if he could give them some insight into what it was all about, how you would win. Bill said to them, one and all, the same thing: I am not sure I have any special strategy to tell you, but there is one thing I have discovered over the years. By the end of the Presidential campaign, the American people will know who you really are.

I thought that was very simply and directly stated by Bill Daley and reflected the fact that although every candidate at every level tries to surround himself or herself with the wisest people in Christendom, to give them advice on polling and media and analyzing the electorate and the right words to be said, that more so in a Presidential campaign than almost any others, by the end of the campaign, the American people know who you really are.

The revelations into a person's values and character are not those well-scripted ads or even those flowery speeches. The revelations come by observing that person in good times and bad and perhaps hearing the unguarded comments which give you an insight into what they think when the camera is not on.

That is why this release of a video of Mitt Romney has had such an impact on America. What he said at a fundraiser in Boca Raton, FL, to some very wealthy supporters on May 17, 2012, bears repeating in specific detail. Here is what he said:

There are 47 percent of the people who will vote for the president no matter what. All right, there are 47 percent who are with him, who are dependent upon government, who believe that they are victims, who believe the government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you-name-it. That that's an entitlement. And the government should give it to them. And they will vote for this president no matter what. . . . These are people who pay no income tax. . . . [M]y job—

This is Mitt Romney speaking—

is not to worry about those people. I'll never convince them they should take personal responsibility and care for their lives.

It was a moment of candor by Romney in a room full of friends about his view of America, and it has become the centerpiece of this week's debate in the Presidential campaign, not just because he was caught in an off moment or with an embarrassing statement, but the fact that since then he has not retracted, he has not backed off of those statements.

In his first press conference, when confronted, he said he was ''inelegant'' in the way he spoke. Well, assuming that he meant ineloquent and not lacking eloquence, I would say he has had enough time to develop an elegant reply, and we have not heard it.

I think there is more truth than not in what he says when it comes to his point of view of this country, and it is no surprise when you look back to those other unguarded moments and things he has said during the course of the campaign.

We remember the highlights. ''Corporations are people, my friend,'' he said. ''I like being able to fire people,'' he said. ''I'm not concerned about the very poor,'' Romney said. ''I'm also unemployed,'' Romney said. ''Ann drives a couple of Cadillacs,'' Romney said. ''Ten thousand bucks? $10,000 bet?'' he said. ''I have some great friends that are NASCAR team owners,'' he said.

It was Bill Kristol who wrote recently—I believe it was yesterday—in the Weekly Standard a response in which he was critical of President Obama but also of Governor Romney. Here is what Bill Kristol, one of the prominent conservative spokesmen in America, in response to Romney's revelation at the Boca Raton fundraiser, wrote:

It's worth recalling that a good chunk of the 47 percent who don't pay income taxes are Romney supporters—especially of course seniors (who might well ''believe they are entitled to health care,'' a position Romney agrees with), as well as many lower-income Americans (including men and women serving in the military) who think conservative policies are better for the country even if they're not getting a tax cut under the Romney plan. So Romney seems to have contempt not just for the Democrats who oppose him, but for tens of millions who intend to vote for him.

End of quote from Bill Kristol.

This was a revelation into his values and his view of America. But it also tells us that he does not understand this country and the people who live in it. Because when we take a close look at those in the 47 percent, here is who we find: the elderly, working families with children, and low-wage earners. That is the 47 percent.

The elderly. One in five of the elderly is in the 47 percent. These Americans do not owe any Federal income tax because of a longstanding policy choice that Social Security benefits—modest Social Security benefits—should not be taxed. Does Romney oppose that? Does he want to tax Social Security benefits so these will be responsible nonvictims in his view of America?

Now let's turn to low-income working families with children. They make up approximately one out of six people in the 47 percent. They benefit from the earned income tax credit. It was an incentive for them to go to work. Realizing they do not make much money working, we are going to give them a break in the Tax Code to help them get by.

As the majority leader mentioned earlier, this notion came out under President Ronald Reagan. It was Ronald Reagan who said, when he signed this into law in 1986, this will remove ''six million [poor] people from the income tax rolls,'' making it one of the most effective antipoverty programs in our history.''

So these people are not paying taxes—so-called victims, so-called irresponsible, under Romney's analysis. Is he suggesting the earned income tax credit has to go?

When you take a look at these people who make up the 47 percent in America, you understand that many of them have paid their dues. Veterans on disability may not be paying income taxes. They are part of the 47 percent. People who are middle-income working families, whose kids borrow money for college are turning to the government for help when they want to put their kids through school to make sure they have a better life.

I close because I know I have my colleagues coming to the floor. There is

one thing that leapt off the page when I read this quote from Boca Raton. It appears that Mitt Romney makes his value judgments on Americans based on their income tax returns.

Historically, American voters have made a judgment on Presidential candidates based on their income tax returns. The man who set the gold standard that was followed for decades in America in Presidential races was Mitt Romney's father George Romney, former Governor of Michigan. He disclosed 12 years of income tax returns, and he said: Do not just give me 1 year. That does not tell me anything. One year might look good. Give me 12 years, and I can then decide whether this person is paying taxes as they should and make a value judgment accordingly.

Well, the son did not learn from the father. Over the past 36 years, Willard Mitt Romney holds the distinction of all Presidential candidates of either political party of having made the least disclosure of income tax returns of any Presidential candidate—1 year. He promises another, but 1 year.

What did this 1 year reveal? It revealed he is the first Presidential candidate in the history of the United States of America with a Swiss bank account. I have asked business leaders across America, Why would you have a Swiss bank account?

I asked Warren Buffett—he is one of the wealthiest men in our country—have you ever had a Swiss bank account. He said: No, there are perfectly good banks in the United States.

Then I asked business leaders—and seriously—Why would you have a Swiss bank account? Two reasons. You want to conceal what you have and the transactions that lead up to you acquiring it or, secondly, you believe the Swiss franc is a stronger currency than the U.S. dollar. I might add that Mitt Romney created a Swiss bank account under President George W. Bush's administration.

Secondly, the offshore tax shelters in the Cayman Islands and Bermuda—why do you have those? To avoid tax liability in the United States.

I do not know what is in Mitt Romney's income tax returns. There must be something in there he does not want America to see, because he is defying all the calls to go public with the income tax returns.

Are income tax returns important? In Boca Raton he judged 47 percent of the American people based on their income tax returns. We should judge Mitt Romney based on his income tax returns or his refusal to disclose them.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, I know my colleague, the Democratic assistant leader, is here, and I will make a budget point of order now because I understand he would be objecting.

Madam President, the pending amendment, No. 2789, offered by the Senator from Washington, would cause the underlying legislation to exceed the authorizing committee's section 302(a) allocation of new budget authority and outlays. Therefore, it violates the budget and I raise a point of order against this measure pursuant to section 302(f) of the Congressional Budget Act of 1974.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. SESSIONS. Madam President, I will say to my colleague, I appreciate his eloquence and his advocacy. He gave us a real partisan speech this morning. I will just ask a few things of one of our leaders in the Senate, Mr. DURBIN.

What about the responsibility of this body to pass a budget? We have not had one in over 1,200 days. What about the responsibility of this body to move appropriations bills? Not one single appropriations bill has been advanced. And while we are working on legislation that could help veterans find jobs—it will cost about $200 million a year—why has this body not brought up the defense appropriations bill that funds the Defense Department at over $500 billion? We have not even brought it up for a vote, even though the House has passed one.

Why have we not brought up the defense authorization bill that passed the Armed Services Committee unanimously? I am a member of it. It has been sitting here for months and not been brought up. Why? Because we would have a debate, actually have some votes around here?

So that is a problem I think we have in this Senate, and I believe it is a serious matter.

I was going to make some comments about the bill before us.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I will be brief. I thank the Senator from Alabama, my friend, for yielding the floor. He asks an important question: Why has Congress not passed a budget resolution in a number of years? But he knows the answer. The answer is because we did better than that. We enacted a statute, a law. A resolution is a message from one house of Congress, back and forth, and kind of binds us internally. A law signed by the President has the force of law. It was called the Budget Control Act.

The interesting thing about the Budget Control Act is it was written by Democrats and Republicans. It charts the course of spending for 2 years, including the one we are appropriating into now. It was voted on in favor by Democratic and Republican leaders alike. It was a bipartisan effort signed by President Obama with the force of law. That has more power than any budget resolution.

So, clearly, saying that we did not pass a budget resolution on its face is true, but to say that we are not bound by rules when it is comes to spending is to ignore the obvious—a budget control act voted on by the leaders on both sides of the aisle.

The second question he asked is, are we ignoring that spending restriction when it comes to those veterans programs, and why should we?

Well, first, the bill that is before us, this Veterans Jobs Corps Act, is paid for. It does not add a penny to the deficit.

The second question is, Well, why do you need it anyway?

Have you noticed the veterans coming home? Have you noticed the high unemployment rate? Have you noticed the problems they are facing when they bring home visible and invisible scars from this war? Is it greater than we thought we would face at this time? Yes. Do we have an obligation to spend this money regardless? Of course. Did we not promise these men and women: If you raise your hand and swear your allegiance to the United States and your willingness to risk your life, we will stand with you when you come home. We will help you find a job. We will give you the medical care you need.

We promised it. We are going to keep the promise.

Now comes the Budget Act, and now a technicality is being argued that maybe we cannot keep the promise. I am going to vote to waive the Budget Act because I stood on this floor with Democrats and Republicans alike, joined in the speeches, joined in the parades, joined in the flag waving saying how much we respect these veterans. But when it comes to spending the money we promised them we would spend so they could become a vital part of America's future, I am not going to step back and hide behind the Budget Act. I am going to stand and make sure that money is there, paid for, not adding to the deficit, so that they have the help they need for the lives we promised them.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my eloquent colleague. But we do not have a budget. The law requires us to have a budget—passed decades ago. The Senate Democratic leadership, of which he is a part, said it was foolish to have a budget. They were not going to have one. We have not had one for 3 years. So it resulted last year in a debate over raising the debt ceiling because we had run up more debt than any time in the history of this Republic. And there was an agreement to limit spending. It is not a budget. It

sets a limit on spending—only on discretionary spending, not on the 60 percent of the government otherwise on which we spend money. It is inadequate and insufficient, and before the ink is dry on it, we are back in here with a Democratic majority advocating legislation that violates that cap. There is no dispute about it. This is the eighth time we have raised budget points of order for violation of the agreement setting a cap on spending limits. So here we go again.

Public opinion of Congress is lower today than at almost any time in history. According to the most recent Gallup Poll, only 13 percent of the public approves of Congress's actions. Americans do not trust us. Why should Americans trust us when we keep using gimmicks and budget slights of hand to hide more spending and drive this country further into debt when we make a promise by passing a law that limits spending and then promptly violate that law within months of passage? And, now, the Democrats will attempt again today to violate that law? Why should the American people respect an institution, such as this one, that cannot adhere to a sound financial course for America?

On August 28, our country's gross debt reached $16 trillion—$16 trillion—over 100 percent of the entire gross domestic product of this Nation. It is a danger zone, according to every expert who has testified.

According to the Office of Management and Budget's latest mid-session review of our fiscal condition, our Nation's debt will increase $4.4 trillion over the next 4 years, rising to over $20 trillion. And in that period of time, we will virtually have doubled the entire debt of the United States since the Democrats took the majority in the Senate and President Obama was elected—double the entire debt. And the course we remain on does not get better. These are their budget numbers. This is a course America is on, and we are not getting off of it. It is $1 trillion a year in deficits. The U.S. debt per household is now $137,000 per household—up $80,000 since just 2002. While Americans have tightened their budgets to make ends meet, Congress has not passed a budget in 1,239 days.

Erskine Bowles, whom President Obama asked to chair the debt commission, noted recently—I saw him in a CNBC interview at a conference on July 12. He said:

> If you take last year, 100 percent of our revenue came into the country . . . was spent on our—what's called mandatory spending and interest on the debt. Mandatary spending is principally the entitlement programs, Medicare, Medicaid, and Social Security.

That is what the tax revenue pays for. Everything above that is funded by borrowed money. That is what he said. Is he correct? Absolutely. We are now borrowing 40 cents of every dollar we spend. That is not sustainable. At that conference, Mr. Bowles repeated what he said before the Budget Committee, on which I am ranking member. Mr. Bowles said this Nation has never been on a more predictable financial crisis path. That is what he said. If we continue at this rate, we are going to have a financial crisis like 2007. Hopefully not if we can avoid it, but if we do not change what we are doing, we are going to have one. He is absolutely confident about it. He has repeated it. So has the Federal Reserve Chairman, Mr. Bernanke. He said: These numbers are not going to continue. If you do not change, we will have a crisis before we get there.

At the debt debate last summer—most Americans remember that; Congress should certainly remember it—we finally reached an agreement that is now being violated. We passed the Budget Control Act last August at the last minute, if you remember, to set strict spending limits over the next 10 years. It created a super committee to solve all of our problems, we hoped, or if the committee failed, which it did, to enact $1.2 trillion, at least, in cuts through sequestration. That would raise the debt ceiling $2.1 trillion. We would have a net cut in spending of $2.1 trillion. The debt ceiling money gets spent now. We have almost added another $2.1 trillion to the debt since last August. We are getting close to the debt limit again. But the cuts were promised to be over 10 years. We will spend now, but we promise you we have got a plan. We have a law that will keep us on the right path over the next 10 years. So the questions are: Are we spending at that limit? Will we stay there?

Secondly, let me note parenthetically that the $2.1 trillion is not enough in reduced spending projections. We are talking about reducing projected spending rates—the increase—not cutting spending $2.1 trillion. We are talking about cutting the projected increase in spending. So at the current rate of spending—$3.7, $3.8 trillion this year—if you carry that out for 10 years, that would be $38 trillion. Under the projections, we are to spend $47 trillion over the next 10 years—almost $10 trillion more. All the Budget Control act says is: We are going to spend $45 trillion rather than $47 trillion, that our spending would increase from $37 trillion to $45 trillion. Can the Republic sustain that? Is that going to throw us into the ocean? Will we collapse as a nation? Will children starve and people not get their Social Security? Of course not. We will still be spending more money. That is all the budget agreement called for, and we are already waffling on that commitment that occurred last summer.

So here we are. While our colleagues have offered well-meaning legislation and something that we should work on to try to deal with the unfortunate increase in unemployment for our veterans—and we can help them, I truly believe—they have refused to go by the promises made under the Budget Control Act last summer—flatly refused.

So I am worried about unemployment. I am worried about it especially among veterans. And there are things we can do. In an effort to find common ground, Senator BURR from North Carolina, representing Fort Bragg, where I spent a summer, offered an alternative bill, the Careers for Veterans Act, which would help our veterans find jobs while keeping the Federal budget under control and honoring the commitment we made last summer. It can be done. This is not hard to do if you want to do it.

Since the Senate majority will not even allow a vote on any bill that abides by the budget—Senator REID is obstructing the right of Members to offer amendments to the bill—I have raised a budget point of order against Senator MURRAY's substitute amendment. Sustaining this point of order will allow us to keep the promises made in the Budget Control Act that Senator DURBIN talked about so proudly—just stay within those promises. It will allow us to continue to work on this bill in a way that helps our veterans without adding more to our children's debt. It does not kill the legislation; it simply tells the sponsors: We are not going to do this until you get it within the budget limits to which we agreed. And it can be done. Senator BURR's bill does it. It certainly can be done.

The Senate majority had the opportunity to write legislation complying with the spending limits set in the Budget Control Act. Instead, they bypassed the committee process. We have not had any committee hearings on this legislation. And they have offered a substitute amendment that violates the Congressional Budget Act by increasing mandatory spending $700 million over the Veterans' Affairs Committee's 302(a) allocation.

Under the Budget Act, the committee is given a certain amount of money to spend for veterans, and this amendment would violate that agreement. Specifically, the Murray amendment violates Section 302(f) of the Congressional Budget Act by spending $61 million above the committee's allocation for 2013 and $480 million above the committee's allocation for 2013 through 2017. It would also spend $666 million above the committee's allocation for 2013 through 2022.

Surely, out of a budget that spends $47 trillion over 10 years, we can find $700 million in savings to pay for this bill. That is all that needs to be done to ensure that the bill complies with the Budget Act. As a result of exceeding the Veterans' Affairs Committee's allocation, the Murray substitute amendment violates Section 302(f) of the Congressional Budget Act. That has been discussed with Chairman CONRAD, the Democratic chairman of the Budget Committee. He acknowledges that it does, and so does his staff. I am very confident that the Parliamentarian agrees and will rule that it violates the Budget Act.

Now the Senate majority plans to have a vote to waive—to waive the promise they made to the American people to control spending just over a year ago. So that is the issue before us today. Do we take the bill and fix it so it complies with the budget—which can easily be done because the substitute Senator BURR has drafted does it—or will we once again waive the promises we made last August and so proudly touted that we were going to cut $2.1 trillion in spending.

In effect, there is a tax increase, argued with some validity, to pay for this bill. The bill uses a tax enforcement measure to stop abuses by people who don't fully pay their taxes. This will raise revenue, and, therefore, the bill is offset, and so we shouldn't worry about it. So here we have a new idea for helping veterans: We will raise taxes and revenue and we pay for it.

But this is what is called tax and spend. Tax and spend. We agreed to a limit on what we would spend. If we have discovered a method to collect more taxes or raise taxes to get more revenue, that money, under our budget agreement last summer, is to be used to pay down the debt, not to take more money to spend on a new program today because we have more revenue to spend. So that is a fundamental issue. Just because it is paid for does not mean we are not spending more than we agreed to spend. We very precisely are.

Not only does the Murray amendment violate the Budget Act by spending above agreed-to levels, but it also uses budget gimmicks—extraordinarily really—to make the bill appear to be offset. This budget sleight of hand is called a timing shift. What about this offset or pay-for idea? Let me discuss that a moment.

This is one of the issues that, if the American people fully understood it, would outrage them. As a matter of fact, it is probably part of why they are not happy with us now because they have seen so much of this. This is a recurring gimmick. If a CEO offered stock based on this kind of promise of financial solvency they would go to jail. It is as bogus as a three-dollar bill. This is what it is. It shifts the payment of corporate income taxes 2 to 3 months sooner so we can count it in this fiscal year. Specifically, this gimmick would collect additional revenue over the 2013 through 2017 budget window, which is the budget window they were trying to deal with since it violates the Budget Act over that 5 year period. So this was designed to cover up more spending.

But think about it. It is exactly the same amount of less revenue that will occur in the 2014 through 2018 budget window. If we ask someone to pay their taxes earlier, they do not owe it the next year when we would otherwise expect to receive it.

The height of this gimmick was demonstrated years ago when I first came to the Senate. I was shocked. This is what they did: They moved a Social Security check from this fiscal year to the next fiscal year. What was the result? It resulted in having a lot of money to spend this fiscal year; right? The CBO said we have more money because we didn't pay a Social Security payment. They moved—delayed—it by 1 day. That is what they wanted to do, to move it 1 day. But what happens to the next fiscal year? Is this really a gain or a gimmick? It is a gimmick because the next fiscal year we would need to make an additional Social Security payment in that budget year.

It is just a way to spend more today and push off the cost until tomorrow. That is what they did then, and that is exactly what this is today. It is a smoke-and-mirror scheme used to avoid the rules in the Budget Act and the scorekeepers at the Congressional Budget Office. It being used to manipulate the scoring for short-term gain. It simply speeds up the payments in the first 5 years so it appears we have more money to spend. In reality, the gimmick merely creates a hole in the budget next year because the money that was expected to come in next year—now coming in this year—is not coming in next year.

So this point of order is not a technical issue, it is an issue of whether this body will uphold its commitment to the American people on how much money we are going to spend. Congress agreed to certain spending levels in the Budget Control Act. We voted on those spending levels, and we should stick with those spending levels today. There is no reason for us to violate that agreement. The point of order exists so that Congress cannot raise taxes and spend money over the agreed-to amount. The point of order requires 60 votes to waive, and it exists so the Senate does not succumb to political pressure to spend beyond our means. Really, it is meant to try to stop spending beyond our means.

The Senate majority was aware of the budget rules when they wrote this bill. They were aware of it. Instead of writing a bill that complied with the Budget Act, they decided to go above the agreed-upon spending levels. Senator BURR—a fine Senator—was also aware of the rules under the Budget Act and the spending levels set under the Budget Control Act. He drafted alternative legislation that complied with the budget rules and that would fund a veterans jobs program through discretionary spending.

Unfortunately, the Senate majority took most of Senator BURR's policy suggestions but did not keep the fiscal discipline found in his bill. They will not allow us to have a vote to aid veterans within the spending agreement.

Contrary to what my friends on the other side of the aisle claim, this point of order will not kill the bill. It only returns the bill to the legislative calendar. It will remain right there on the calendar, but it will allow the people who support it, if they want it passed—and they do—to propose changes so that the bill complies with the Budget Act.

We can still fix and pass this bill before we leave this week. It wouldn't take much time at all to fix this matter. A vote in support of the point of order will protect the integrity of the budget process. Supporting this point of order will allow us to change the underlying bill so that it is fiscally sound and complies with the spending levels we have agreed to.

Unfortunately, while the Senate majority refuses to allow a vote on a reasonable veterans bill that complies with the Budget Act, they are neglecting the looming cuts that face our military men and women on January 2, 2013—the sequester. Given the events happening around the world today, we need to be very careful not to allow these kinds of cuts to take place in the first part of next year. There are various ways we could easily fix that, in my opinion, but we will not even confront the issue. The Senate majority has refused to address sequestration, which the Secretary of Defense—President Obama's Secretary of Defense—said would be catastrophic. Defense people have said it would hollow out the military. It is too rapid a bite, according to the experts in the Obama administration and others, but no effort has been brought forward to confront that problem—to bring it up on the Senate floor and have a full debate about it.

We can do a $200 million a year bill that we spent a week or more on, but we have no time on the Senate floor dedicated to dealing with the sequester, which would take $500 billion out of the defense budget. This bill on the floor today would spend nearly $1 billion over 5 years above the budget.

What about the $500 billion in cuts that are looming right now in January? We need to wrestle with that and decide how we are going to confront that. It is not going to be easy. Maybe defense can sustain some more cuts, but I don't think this much. They have already taken $500 billion in cuts, and this would be an additional $500 billion in cuts.

The Defense Department, under the plan today, which represents one-sixth of Federal Government spending, would get half the cuts, and the remaining five-sixths of the Federal Government would get the other half of the cuts. This is disproportionate. It should not have been part of the Budget Act. But they slipped it in the dead of night, and it came to the floor and people went along with it so we would not hit the debt ceiling. But it is not good, and we need to fix that, in my opinion.

House Republicans have confronted this matter. They realized this was a problem, and they proposed a budget and a plan to replace and undo the sequester and to do it in a way that made sense without violating spending levels we agreed to last August. How many proposals to fix this problem have we

received from Senator DURBIN and Senator REID? Zero. Nothing. They are not doing anything but blocking any attempt to bring up legislation that would fix it.

That is why we don't have a Defense authorization bill, which came out of my committee unanimously, the Armed Services Committee. It has been sitting here and not being brought up. Why? Because if we do, we will have a discussion about the sequester and the Defense Department and the future of America, and they do not want that. The House passed the Defense authorization bill in May, and they passed the Defense appropriations bill in June. We have passed none of them, not even brought them to the floor.

They want to attack Republicans as not caring about our men and women who serve our country. Yet we are trying to fix the sequester, trying to bring up a Defense bill that will actually do some good and give a pay raise to our men and women in uniform—a small one, but a pay raise. So I am really disappointed we haven't brought up the Defense authorization bill, which came out of my committee.

A few days ago—last week—Senator MCCAIN spoke about this. He said: Shame, shame, shame. Imagine that for 51 years, every year, this Senate has passed the Defense authorization bill. This will be the first time in 51 years we haven't passed the Defense authorization bill, and we have so many important issues related to our Defense Department today. Nothing is more important than that. Yet we spent a whole week, or the last few days, discussing a bill that could have been agreed to just like that, with the suggestions of Senator BURR, because we can't wait to get out of this place. This could have already passed, and we could have been dealing with these important issues. I find it breathtaking, frankly.

Let me just point out the bill is not going to go through the House since it violates the Constitution. There are revenue proposals in this bill. It will not see the light of day in the House because the Constitution says revenue bills must be generated in the House. So we have wasted all this time producing a bill that cannot and will not be received by the House.

Article 1, Section 7 of the United States Constitution says:

> All Bills for raising Revenue shall originate in the House of Representatives. . . .

This is a revenue bill.

So what has happened? Is it just an idea? Let's see, we don't want to talk about the Defense appropriations bill. We don't want to talk about the Defense authorization bill; it involves hundreds of billions of dollars. We don't want to talk about those, so let's bring up this veterans bill. We will bring it up even though it violates the Budget Act. And do you know what those stupid Republicans will do? They will object and say it violates the Budget Act. And do you know what we can say? We can say: You don't like veterans. You don't believe in honoring those who served our country. Do you want to know the truth? That is what has happened right here today, and it is irresponsible.

So let's vote for Senator BURR's bill. Let's pass legislation that will help veterans right now, or we are going to send this bill back—I am confident—to see if they come up with some other plan that would be helpful to our veterans and their employment prospects without violating the Budget Act.

I want to mention one more thing because I think it is important. The two largest veterans groups, the VFW and the American Legion, have said these things. Steve Gonzalez, assistant director of the American Legion, said both bills, the Burr and Murray bills ''have ideas on how to get veterans quality jobs,'' and added that BURR's version stands a better chance of passing.

What about the VFW? In the Washington Post today:

> ''VFW supports concepts behind the Veterans Job Corps bill, but we have some concerns about the budgetary implications,'' said Ryan Gallucci, deputy director of national legislative affairs for the VFW.

We don't have to do it the way this bill has come up. Senator BURR has offered a very fine proposal that the VFW and the American Legion seem to support. Let's do that. Let's do it that way and not violate our commitment to the American people to live within our means.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Madam President, I rise again this morning, as I have for a number of months, to talk about the most important issue facing the American people and this Congress, and that is jobs.

A good news story on the jobs front has been our wind energy industry. The wind energy industry has created thousands of good-paying jobs, and it could create thousands more. But the troubling news that goes along with the good news is that the potentially bright future of this industry is uncertain. Why? Because we in the Congress are holding the wind energy industry hostage because we have failed to extend the production tax credit.

As I have said every day I have been on the Senate floor since June to discuss this topic, every day that we fail to extend the PTC for wind energy more jobs are put at risk. We have seen this unfortunate reality unfold across the country as predicted, including in my home State of Colorado, where over 100 people have lost their jobs. I don't have to tell my colleagues that when people lose jobs, those job losses negatively affect families and the communities where they live.

Just yesterday—it breaks my heart—Siemens Energy announced they are going to lay off more than 600 people in Iowa, Kansas, and Florida. Enough is enough. These layoffs that continue to be announced almost weekly should spur us to extend the wind production tax credit without any further delay.

Jobs are at stake. It is that simple. With many Americans already losing their jobs, more jobs are at risk—thousands, literally—if we don't act.

Here is my question: Why would we forfeit leadership in an industry that is poised to grow even further? There is no reason we should cede leadership of this important industry to China or anywhere else by letting the production tax credit expire. If we commit to extending the PTC, we will then lead the world in wind power, and here is a part of why I come to the floor every day and talk about particular States.

There are few places that is more apparent than in Wyoming. Wyoming has phenomenal wind reserves. If you have driven through Wyoming, you know what I am talking about. If you talk to anybody from Wyoming, they will always ironically say: One of the things we have in excess in Wyoming is wind.

The National Global Energy Lab based in Colorado estimates that Wyoming has enough wind power potential to meet 116 times the State's energy needs. To put it another way, that is 25 million homes that would be powered by harnessing wind.

Wyoming is well on its way to harnessing its wind potential. Why? Although it ranks 11th in the Nation for installed wind power—which is not a shabby number, frankly—there are plans to nearly quadruple the amount of wind power in the State of Wyoming. Not only would that create thousands of jobs—that goes without saying—it would produce enough electricity to power 1.5 million homes. The construction of those projects will create hundreds of nicely paying renewable energy jobs right in the State of Wyoming.

It is no wonder then that the massive wind potential in Wyoming has also attracted investment for manufacturers. To make that point, I want to share a development with you.

Last year a plan to build the first wind energy manufacturing facility in Wyoming was announced. It was a joint venture between the Spanish wind manufacturer Gestamp and an Ohio-based company called Worthington Industries. They formed a conglomerate called Gestamp Worthington Wind Steel. The companies announced they would build a facility in Cheyenne, WY, and there would be 150 good-paying jobs attached to that facility. They planned to invest $40 million in the plant. But here is the twist: That project has now been put on hold. Those jobs and the millions in investment that were planned to be directed into Wyoming have been shelved.

This isn't an isolated incident. There are wind manufacturing facilities and wind projects across the country where we are seeing exactly the same thing happening, and the reason is clear: uncertainty over the future of the production tax credit. So our inaction in the

Congress is putting good-paying American jobs at risk and reducing opportunities for further investments in this growing industry. There is just no reason for it. The PTC has strong support from both sides of the aisle and from both Houses of the Congress. Of course, a broad array of groups in the private sector support the wind energy industry.

Yesterday, a group of businesses from across the country wrote to leaders in the House and the Senate urging us to bring up and pass an extension of the PTC as soon as possible. Businesses such as Starbucks and Levi's joined a diverse group of companies, including Colorado's own Aspen Skiing Company and New Belgium Brewery, in urging us in the Congress to work across the divide, work across the aisle, and extend the PTC. These companies understand how positive the production tax credit and our wind industry has been for jobs, national security, and our clean energy economy. They made that case yesterday in their letter.

I ask unanimous consent to have printed in the RECORD a copy of this letter.

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

BUSINESS FOR INNOVATIVE
CLIMATE AND ENERGY POLICY,
Boston, MA, September 18, 2012.

Re: Production Tax Credit for Wind Energy.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
House Minority Leader, U.S. House of Representatives, Washington, DC.
Hon. HARRY REID,
Senate Majority Leader, U.S. Senate, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Minority Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER, MAJORITY LEADER REID, MINORITY LEADER PELOSI, AND MINORITY LEADER MCCONNELL: As major U.S. employers and some of the largest non-utility purchasers of renewable energy, we urge you to extend the Production Tax Credit (PTC) for wind energy before the end of the 112th Congress. A failure to pass an extension will amount to levying a tax on companies committed to buying American energy and growing the U.S. economy. In today's economic climate, a tax hike on American businesses buying American renewable energy is unwarranted.

In the past decade American businesses have significantly ramped up their purchase of American wind energy. For consumers of wind electricity, the economic benefits of the PTC are tremendous. Electricity rates, which reflect marginal costs for power plant operations and fuel prices, consistently decrease when wind enters the market. Because wind prices can be locked in up front, businesses incorporating wind into their energy portfolios are better equipped to hedge market volatility in traditional fuels markets caused by supply shocks. We are concerned that allowing the PTC to expire will immediately raise prices for the renewable electricity we buy today.

The PTC has enabled the industry to slash wind energy costs—90% since 1980—a big reason why companies like ours are buying increasing amounts of renewable energy. Wind now supplies over 3% of U.S. demand and accounts for 35% of new power capacity installed in the last four years. In the seven years that the PTC has been continuously in place, installed wind capacity has grown sevenfold to nearly 47 Gigawatts representing more than $79 billion in private investment.

As Congress investigates ways to spur business growth, we urge you to ensure an extension of the PTC. Failure to extend the PTC for wind would tax our companies and thousands of others like us that purchase significant amounts of renewable energy and hurt our bottom lines at a time when the economy is struggling to recover. Extending the PTC lowers prices for all consumers, keeps America competitive in a global marketplace and creates homegrown American jobs.

Sincerely,

Akamai Technologies, Annie's, Inc., Aspen Skiing Company, Ben & Jerry's, Clif Bar, Johnson & Johnson, Jones Lang LaSalle, Levi Strauss & Co, New Belgium Brewing, The North Face, Piney Bowes, Portland Trail Blazers, Seventh Generation, Sprint, Starbucks, Stonyfield Farm, Symantec, Timberland, Yahoo!

Mr. UDALL of Colorado. Madam President, as I conclude I want to remind us that in August, before we adjourned for our month's State work period, our Senate Finance Committee passed legislation that would include an extension of the production tax credit. I was encouraged to see that the committee bridged the partisan divide to advance what is really and truly a commonsense policy that will help our American economy and our middle class.

We should build on what the Finance Committee did and take up and pass this legislation as soon as possible. The longer we delay, the more jobs we put at risk and the more our economic recovery is at risk.

It is very simple: The production tax credit equals jobs. We should pass it as soon as possible. So, my colleagues, let's work together. Let's find a path forward, and let's pass this critical tax credit as soon as possible.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

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

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

Mr. COBURN. Madam President, I want to spend a few moments this morning talking about the budget point of order. But a bigger topic is we are going to have a vote at noon, and the question, in my mind, is: Will we at some point in the future recognize the hole we are in?

When I talk to individual Members they all agree we are in a hole, we have a problem, and it is getting ready to bite this country in ways that are unimaginable in terms of its impact on the everyday citizens of this country. Yet in the Senate we have done nothing to address the bigger problems facing the country.

Now we have a bill that has a budget point of order that is lying against it, and the question is: Will we continue the behavior that put our country in the problems we are in today or will we take a new track?

The desire to help veterans is a noble desire, but there are a lot of points about this bill that the average American and the average veteran ought to be asking. There are also other questions, such as: What are the other things we are doing for jobs for veterans, and how well are they working.

We have six veterans job training programs. We already have a preference across the Federal Government for hiring veterans. We have SBA programs like crazy. We have contracting programs 8a and 8b. We have all these programs, but not one hearing has been held by the committee of jurisdiction oversight of the job training programs or the other programs we have to enhance the economic well-being of our veterans.

So what we have is a bill that is brought to the Senate floor that has good intentions behind it but shows the absolute laziness of Congress in terms of digging things out.

When the GAO issued its duplication report on the job training programs for veterans, four of them do exactly the same thing. None of them has a metric. So we don't know if they are working, and we haven't held a hearing to find out if they are working. But what are we doing? We are proposing another jobs program for veterans without having done the serious work of how we invest $1 billion.

Now, the other point that we should know is, we are spending $1 billion a year right now on veterans job training programs. This bill has $1 billion over 5. The second point I would like to make—and I think it was made by the ranking member of the Budget Committee—is there is no honest accounting in this bill regardless of the budget point of order or the blue slip, the nonconstitutionality of originating revenue bills in the Senate. There is absolutely no transparency nor correctness nor character nor integrity in the financing of this bill. When we find ourselves $16 trillion in debt and we are going to pay for another bill over 5 years by 10 years of change, we never get out of the problem. We make the problem worse.

What are we doing and whom are we doing it for? Are we truly thinking about veterans when we do not solve the bigger problems? We have the manifest presence in this bill of the very problems we say we need to be addressing. Yet we are making them worse with this bill. We are making the financial problems worse with this bill.

I am befuddled and disappointed that we cannot, as a group of individuals who all love this country very much,

come together on some certain baseline principles that we ought to be operating under in the Senate. The first of those ought to be we ought to do nothing now that makes the problem worse for our kids and grandkids. We are now over $200,000 per family of debt in this country. We are over $200,000—it is actually about $225,000. Think about the median family income over the last 4 years that has gone down 9 percent in this country, and we are going to make sure it goes down even further if we continue to do what we are doing in this bill. We have gone from $54,900 median family to $50,200 in the last 4 years, median family income, and we have gas prices as high as they have ever been and we are going to perpetuate a system that says we are going to continue to make the problem worse, not better.

There is also another little gimmick in this bill that if we were to do it in private, we would go to jail for it; that is, we are going to charge corporations more income tax than what they actually owe to get past 1 year, and then after the year is over, we are going to flip it back so we can say we paid for something when we did not. That violates all aspects of integrity and honesty. Do you know what the answer I hear as to why we are doing it? ''Oh, we have done that in the past.'' It was not right in the past, and it is certainly not right now to lie, to cheat, to be dishonest about the accounting principles surrounding this bill in terms of how we pay for it because, in essence, it violates pay-go—the very rule we said was going to help us get out of our problems that 67 times has been waived in the last 3 years. As a matter of fact, I don't know the last time a pay-go challenge was not waived.

The second principle we ought to be dealing with is we ought to follow the rules we set up for ourselves that are supposed to discipline us in terms of getting our country out of the problems which we are, regrettably, continually ignoring. If, in fact, we want to help veterans get jobs, there are a lot of ways for us to do it. One is make sure the job programs we have are working—and they are not. If they are not working, why are we continuing to spend $1 billion a year on them? No. 2, create a level of confidence in this country, by our own behavior, that we are actually addressing the real problems in front of the country rather than the political dynamics of an election that says we want to do something and everybody in this Chamber knows, even if we pass this bill, it is not going to accomplish anything because, in fact, it has a blue slip against it because of the Constitution.

On Monday mornings when I get up—I get up about 4:30 to catch a flight to come back here—I have noticed I have an attitude problem. I don't want to come anymore. The reason I don't want to come anymore is because we are not doing anything to address the real problems that are in front of our country. We are ignoring the real problems so we can create political contrasts for an election, all the while the country is sinking and sinking and sinking.

What it is is a lack of leadership. We can lead in the wrong direction, knowing what the problems are and making mistakes, and we can be forgiven for that. But when we know what the real problems are and we are ignoring them, that is an unforgivable failure of leadership. That is where we find ourselves.

I heard my colleague mention the Defense authorization bill. There is absolutely no excuse for us not to have passed a Defense authorization bill that gives the planning, the direction, and the commitment for this country's future in terms of our defenses—the No. 1 priority for us as a Congress, according to the Constitution. Yet we have not done that. We have made the immediate political situation trump everything. That is the opposite of leadership. It is actually cowardice, because when someone is a leader and they duck the real problems in front of them, they take everybody down with them—the well intentioned and the not well intentioned. That is where we are—as a country, as a Senate—by not addressing the real issues of this country.

I don't know what is going to happen on the votes on this bill, but I know what needs to happen in the Senate. There needs to be a renewed sense of awareness of the real problems facing this country and a redoubling of our commitment to shed partisan roles and get down to fixing the real problems in front of us. Parochialism has no place in that discussion. The political careers of Members have no place in that discussion. The real future of our country is at risk and we are, similar to the proverbial person with their head in the sand, ignoring that risk. The greatest country in the world is on the precipice of falling, predicted long ago by such people as John Adams and Thomas Jefferson—that the day would come that we, in fact, would put the political ahead of the best interests of our country. That is what we are seeing played out in Washington. That is exactly what we are seeing played out with this bill. The American people deserve much better.

I yield the floor.

Mr. SESSIONS. Madam President, before the Senator leaves, I would ask him a question. And the reason I am asking Senator COBURN about this is because there is no one of these 100 Senators here today who has spent more hours, effort and time in dealing with the duplicative programs of the Federal Government than Senator COBURN. He has brought up these issues time and again.

I just ask, according to the GAO, in 2009, Senator COBURN, I understand that 9 Federal agencies spent $18 billion to administer 47 job training programs. The Senator has looked into that. I know I have heard him speak on that specifically. I was surprised the Senator brought out that there are already six programs for veterans now, and this would be a new one added to it.

What is the Senator's view of what a responsible Congress should do when we learn we are spending this much money on these programs with their own bureaucrats and so forth? Can we do better?

Mr. COBURN. Absolutely. Let me give people some hope. VIRGINIA FOXX, a Representative in the House, who is the chairman of the Subcommittee on Workforce and Labor, has passed a bill out of her committee that consolidates 33 of those job training programs into 1, puts metrics on every one of them so we will know if they are working and requires mandatory oversight of them. The reason she did not do all 47 is 14 of them are not in her jurisdiction.

But add to it another $4 billion, and another 20-plus programs for the disabled, so we actually have almost 70 programs and $23 billion a year we are spending on job training, of which nobody knows—as a matter of fact I know they are not working.

We actually released a report on job training in Oklahoma. We looked at every Federal job training and State job training program going on in Oklahoma. Do you know what works? Oklahoma programs. Do you know what does not work? Federal job training programs in Oklahoma.

We have 1 city in Oklahoma that is 16,000 people, 17 Federal job training centers, and an unemployment rate of 4.7 percent; 17 different Federal agencies in 1 city of 16,000 people with an unemployment rate of 4.7 percent. What we are doing is employing people in the job training industry—which may be good if they are having results. But we have results that are untenable.

Job training is just one area of our Federal Government. The GAO has released reports on duplication. Their final report will come in February of next year, where they will have looked at the entire Federal Government. What we know right now is if we did our work, the 100 Senators who care about our country did our work, over the next 10 years we could save $200 billion by eliminating duplication in Federal programs—$200 billion. I said over 10 years; that is, $200 billion per year. It is $2 trillion over 10 years. We could save over $200 billion per year.

We wouldn't be having sequestration if we did our job, if we did our oversight, if we consolidated programs, made them transparent and made them accountable and then put metrics on them to see if they were working and then did oversight to see that they are working. We would not be in sequestration. We would not have near the problems we have today. But the failure is us. The Congress has failed to do its job.

The consequences will not be borne by us. The consequences will be borne by the son of my health LA who was just born, by my new grandson who is

now almost 7 weeks old. That is who is going to pay the consequences—the children of this country—when we fail to do our jobs.

I appreciate the Senator's leadership. I am going to support his point of order. It is the right thing to do. I did not even talk about the areas he talked about in terms of—we set up this budget agreement for 2 years. I will tell you what, the CR coming—this is the irony of all ironies. Had we not had that budget agreement and we did a CR, we would spend $2.6 billion less next year if we had a clean CR than under the Budget Control Act we passed. By doing the Budget Control Act, we are actually going to spend more money than we did last year.

So everything is upside down in Washington because everything is political or parochial and nobody is thinking long term about the big problems facing our country.

I yield the floor.

Mr. SESSIONS. Madam President, I thank the Senator from Oklahoma. He served on the debt commission. He is steeped in the challenges facing our country and he is working hard to fix our problems.

I salute Senator BURR for coming forward with a proposal that helps veterans while abiding by the rules set forth in the Budget Act. Regretfully, I think we will end this matter today, the legislation that is coming forward, through the budget point of order.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Madam President, the Senator from Alabama knows the personal friendship we have and my high regard for him and the privilege I have had working with him over the years. It has been a working relationship.

Regardless of what one feels about a budget and a budget point of order, we are talking about a technicality to kill a bill to help unemployed veterans at a time they desperately need help because they are coming back from Iraq and Afghanistan and they can't find work. Until we come out of the recession—and the recovery is under way, but veterans have a higher percentage of unemployment and especially veterans under age 24 have an even higher percentage of unemployment. So what we have is a piece of legislation to give an employment cushion for veterans for at least a year, until they can find employment in the private sector.

This is employment to do things we need, since so many of our national resources, such as parks and emergency responders and firefighters and police, need help. Look at all of the deterioration in the national parks. This would be an opportunity to employ those veterans and to employ them up to a year. Everybody knows this makes common sense and it is the right thing to do.

What is happening is the folks on that side of the aisle, because we are in an election year and because this happened to be a proposal coming out of the White House and is brought to the floor by this Senator from Florida, are not going to support it, and they are going to kill it on a technicality by denying us 60 votes in order to waive the budgetary point of order. That is the bottom line. That is what is going on here, and it is sad. Yet that is what is happening.

Look at the votes in the last week. We passed the motion for cloture on the motion to proceed by 95 to 1. Doesn't that tell us something? Then we had the second procedural vote which was 84 to 8. All we need is 60 votes to get over this hurdle and to get to the bill and then probably pass it by unanimous consent because everybody agrees with the substance of the bill. It is clear that commonsense legislation that has bipartisan support is getting thwarted in this Chamber. We all know how important it is to help our veterans find work as they return home.

Does the Senator from Oklahoma want to ask a question? The Senator from Oklahoma knows my respect for him and my personal friendship for him. I admire the Senator for the courageous stance he takes. But I hope the Senator from Oklahoma understands—and I respectfully say that—for a need so great as unemployed veterans, this is not the time to draw a technical line on a budget. I would earnestly and respectfully request of my friend that this be one of the considerations he would make.

Does the Senator wish to engage in any conversation? If not, I will complete my remarks.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Madam President, I would ask to have a back-and-forth real debate on this, recognizing us both, with the Senator from Florida controlling the time, if he has no difficulty agreeing with that.

One of the reasons I came out is I don't agree with the substance of this bill and I don't want the Senator from Florida to make a statement on the floor that everybody agrees with it. We have six veterans job training programs that nobody is overseeing. Nobody knows if they work.

Mr. NELSON of Florida. OK. Then what I would suggest to my friend—and he knows he is my friend—if we have a difference of opinion, I respect that, and I would like him to share that. I wish to complete my very brief statement and then the Senator from Oklahoma may make whatever statement he wishes to make.

The unemployment rate among veterans returning from Iraq and Afghanistan is hovering around 11 percent, and for those unemployed veterans age 24 and less it is even higher. We have taken steps to combat this problem. This past summer we passed legislation that will help veterans get Federal occupational licenses when their military training matches civilian requirements. That made sense. That made common sense. As a matter of fact, we got that through the Senate unanimously and it was signed into law. The bill recognized that a veteran gets all of this specialized training and they ought to be able to utilize that training without having to go through all the retraining and the relicensing. We could do that—and what we passed is now law—we could do that in Federal employment where there is a similar kind of requirement.

What is in this bill is to do that for the State occupational requirements; to take a veteran who has a military discipline—a specialty—as that veteran is applying for a private sector job that happens to be covered by State law on the occupational requirements and requirements of licensing, that it is a consideration, instead of the veteran having to go through all of that again. That makes common sense.

That particular idea was offered by the Senator from Arkansas, Mr. PRYOR, and it is a part of the bill. Also, Senator MURRAY, who is here on the floor and who is the chairman of the committee, reached out and incorporated a number—and she can address that—of the different bipartisan ideas and not just my idea, which is the one I was talking about wherein veterans can have employment up to a year—but so many others that are incorporated into the bill that came out of committee.

So we already did something about matching civilian requirements, albeit what was signed into law was just with regard to Federal employment.

Also, last year we passed a bill that granted tax benefits to companies that hire wounded warriors. Of course, we know what inspiration all the rest of us take from the wounded warriors. The Senator from Oklahoma and I from time to time go to Bethesda to what used to be called Bethesda Naval and now is the combined, all-military services Walter Reed. For every one of us who goes out there and suddenly sees these veterans coming in who are on these new kinds of computer-controlled prostheses where they can actually walk and run, even when their leg has been blown off above the knee, it pulls at our hearts and yet we are so glad that technology has moved forward. But those same ladies and gentlemen need jobs. Until the recovery is complete, they are having difficulty. That is why I filed this bill. The chairman of the committee and the ranking member have done their best to work across the aisle.

Veterans don't care to hear about why we can't help them. They don't care to hear about technicalities of a budget point of order. They want our country to support them in the way they have supported us, and that is an obligation. A lot of us in this Chamber have served in the military. I think it is engrained in every Senator here that we have an obligation to those who have served this country.

This effort here today that we are going to vote on in 20 minutes has

broad support from veterans and police organizations. The Disabled American Veterans, the Military Officers Association of America, the National Association of Police Organizations, and the American Legion all support it. The Iraq and Afghanistan Veterans of America have called and pleaded for its immediate passage. They know why: Because of their veterans' need to know that Congress has their back.

So I would make a plea to the Senate. We just need a few votes from that side of the aisle to get to the threshold of 60 to waive the technicality of the budget point of order.

I look forward to the comments of my friend, the Senator from Oklahoma.

Madam President, since the time is controlled over here, I reserve the final 7 minutes for the chairman of the committee.

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

Mr. NELSON of Florida. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Madam President, my colleague from Florida raises some good points about us wanting to help our veterans. I don't think there is anybody who does not recognize their significant sacrifice. As a matter of fact, it was not long ago that the 45th from Oklahoma lost 17 people in Afghanistan and hundreds were wounded.

The real question is: how do we help them the best? How do we really help veterans? We are going to have plenty of opportunities to say there is a reason to not do the right thing for the long-term best interests of our country.

We have never found ourselves in the predicament we find ourselves in today in terms of our financial exposure and the real risk to the veterans who have jobs today—which nobody is talking about but the real risk for them. Because when this thing goes down—and I am talking about the financial collapse of this country—when it happens, those who have jobs who are veterans today are going to lose them. So there could be no more noble cause than to make an exception for veterans, except that is not what the Senate does. We make an exception every time—every time.

Here is the question for my friend: Under what system of values, honor, and integrity did these veterans serve? The highest and noblest of honor and integrity, without a doubt.

They put their life on the line so I do not have to, so my adult, mature children in their thirties and forties do not have to. The difference is, what they put their life on the line for was to ensure that the freedom and liberty and vibrancy of this country goes forward. We are taking a little pocketknife to one of the legs of the three-legged stool with our actions and slowly nibbling the support of that leg. We are taking it away by our very actions.

Mr. NELSON of Florida. Madam President, I would like to respond to my friend.

Mr. COBURN. If I could finish. Since the other side has the last 7 minutes, I will be finished well before then.

We are going to say the financial condition of the country does not matter. We are going to say it does not matter the $1 billion a year we are spending already on veterans job training programs. It does not matter. We are going to say here is a year's program for jobs for 20,000 veterans and that is going to trump everything else.

You would not have any objection from this Senator if you actually really paid for this, No. 1, if you did not violate pay-go and you truly did it in a way that oversighted the present job training programs we have and you truly did it in a way that matches the integrity and honor of our veterans. But we did not do that. No. We played games. We played games with budget rules. We played games with pay-go. We did not do any oversight. We did not even have a hearing. There was no hearing on this bill.

You took Senator BURR's suggestions, which were common sense, and applied it broadly across the government. But we did not match the honor and integrity and valor and purpose. When I meet with veterans in townhall meetings, I ask them why they serve. Do you know what they tell me? Because this is the greatest country the world has ever known and they want to keep it that way.

What we are doing today does not keep it that way. It perpetuates the same problems that created the very dangerous situation this country is in.

So when we make a claim about that everybody agrees with this bill, I just wish to say I do not agree with the bill. There are a whole lot of ways to help veterans that are better than this, that give them a permanent job. We passed the post-9/11 GI bill; right? They can get paid a stipend while they go to college to learn a new skill, the same as a noncom officer. They get paid for the books and tuition and everything else so they can become whole as they learn a skill. We have the capability for studies while we are in the military. We have six separate job training programs that we are spending $1 billion a year on.

The best way to help veterans is to fix this country's economic situation to create opportunity, and they will fly because they have already proven they have the initiative, the strength, the moral courage, the integrity, and the valor to accomplish anything they want to accomplish.

So I am in disagreement with my friend. I think we have a political device in front of us, and I am going to be very interested to see the character of the Senate on whether it succumbs to the parochial and political over the best long-term interests of the country. If it does, it just proves that the Senate needs to be changed to truly address the real problems in front of our country. That is what it is going to prove, regardless of the outcome: Do we have the character? Do we match the valor, honor, and integrity of the people who serve this Nation in the Armed Forces with our willingness to sacrifice our political careers to do what is in the best long-term interest of the country?

They set the example for us. The question is whether we will follow their example.

I yield to my friend from Florida.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Madam President, before the chairman of the committee uses the time reserved for her, I wish to respond to my friend from Oklahoma—and he is my friend—by telling him why I think he is wrong on this issue and telling him by way of a compliment to him because the Senator from Oklahoma and I, the Senator from Florida, had worked together, he being much more prominent in the efforts, to bring the budget under control 1 year ago.

In having discussions across the aisle—often private discussions—what started as a rump group known as the Gang of 6 that grew and blossomed into what, in effect, became a group of 45—and I think that was the number of us who stood in the Senate Press Gallery in the summer 1 year ago; it was the summer of 2011—and we said we wanted a big $4 trillion-plus budget deficit, and we pointed out ways we could get there.

Indeed, what this Senator has said—and I have heard other Republican Senators who feel and have said very close to identical things publicly; and I will name one and that is Senator LINDSEY GRAHAM and he stated it on ''Meet the Press'' a couple months ago—that the way we get there is producing revenue through reform of the Tax Code by going after all the tax preferences which have ballooned out of control since the last tax reform bill in 1986, that this Senator, then a young Congressman, voted for, to the point that tax expenditures, tax preferences are now $14 trillion over 10 years. A lot of them have outlived their usefulness. For a lot of them, their special interests or sponsors would tell us: We would not want that if we could have a certainty of a lower rate.

Therefore, we have said many times on this floor and in public statements, we can take tax preferences, restrain them, and use that revenue to do two things: lower everybody's tax rates, including corporate, streamline the Tax Code by getting all this underbrush of preferences out of the way, and then use the rest of the revenue to lower the deficit.

I suspect the Senator and I feel very similar about that issue. So when he talks about reforming the spending process, the fiscal process which includes the revenue process of this country, then I think we have grounds for significant agreement, and I would hope we are going to address that in the lameduck session that starts.

My plea is that we do not take it out, in this particular case, on something that can be done immediately for veterans in need returning home from Iraq and Afghanistan.

Mr. COBURN. Will the Senator yield for a question?

Mr. NELSON of Florida. Of course.

Mr. COBURN. Through the Chair, I would ask the Senator, how did he vote on the tax extender package coming out of the Senate Finance Committee? Because that is the real test of whether the Senator wants to reform the Tax Code. As I recall, the Senator voted for it and I voted against it. There is a very big difference.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. MURRAY. Madam President, I would remind all the Senators, we are here on the floor on a very important bill on the Veterans Jobs Corps, and I wish to thank my colleague from Florida, Senator BILL NELSON, for his tremendous leadership and passion on the issue of making sure our veterans get back to work, at a time when they have a 20-percent-plus unemployment rate, and for his work on this bill as we move to this point.

I have been listening to the debate on this bill, and what I have heard are some pretty weak arguments against the merits of this legislation. I have heard we have not held hearings on the employment or on the provisions of this legislation.

The Senators who spoke may not have known—they are not on our committee—but, indeed, we have had hearings on employment both last year and this year and on this bill. Veterans groups and the VA at multiple hearings, in fact, have had multiple opportunities to give their views. The COPS and SAFER Grant Programs in this bill have been around for years, and we know they work.

On the point I heard reiterated here, that the bill was not paid for, violated pay-go, as all bills that come before the Senate, this bill is fully paid for. It does not violate pay-go rules.

We are going to have a vote shortly on a point of order on this bill. A vote to support the point of order, plain and simple, says we spend enough now on our veterans.

That is what it says: We spend enough on our veterans. A vote to support this point of order says that despite the fact that we have paid for this bill, despite the fact that one in four of our young veterans is out of work, despite the fact that veteran suicides are outpacing combat deaths, and despite the fact that more and more veterans are coming home today, we are not going to invest in those challenges. It says we have done enough.

This point of order puts a price on what we as a country are willing to provide our veterans and says we are not going to do a penny more. It is a point of order that not only will kill our ability, I will tell my colleagues, to pass this bill, but it will also affect every effort we make to improve the lives of our veterans going forward.

In fact, just last week we held a markup in the Veterans' Affairs Committee. We passed a slew of bills in a bipartisan fashion. Those were very important bills to improve mental health access, to give students new tools so they can maximize their GI benefit, and, importantly, it would give veterans who have lost their ability to start a family access to fertility services. All those bills, under this, would be subject to a point of order, as would, of course, countless other bills introduced by Senators on both sides of the aisle. There is no end in sight, I would tell everyone, for how long this point of order could be raised.

We have to consider, as we vote, the lasting effect of this vote that we are about to take. We should all consider the fact that veterans are watching this vote very closely.

(Mr. FRANKEN assumed the Chair.)

Mr. President, this is a bill that has been endorsed by the American Legion and by the Iraq and Afghanistan Veterans of America. They know, as I do, neither party has a magic bullet for this problem of employment, and we should be taking good ideas from both sides of the aisle, which is exactly what we have done with this bill that is before us. This bill includes 12 different provisions to help create veterans jobs. Eight of them are ideas that have come from Republicans. In fact, to make this bill even more inclusive and more bipartisan, we took Senator BURR's entire alternative bill and added it to our bill.

At every turn we have sought compromise. But instead of meeting us halfway, we have been met with resistance. Instead of saying yes to nearly 1 million unemployed veterans, it seems that some on the other side of the aisle have spent the last week and a half seeking any way to say no.

It does not have to end this way for our unemployed veterans. We can join together and pass this bill.

Mr. President, as you have heard me say, our veterans don't ask for a lot. My own father never talked about his service. The veterans whom I meet across the country do not want to be seen as dependent on government. But we owe them more than a pat on the back, sending them out to the world when they come home. We owe them more than bumper stickers and platitudes. We owe them more than procedural roadblocks, which is what we will vote on shortly, that will impede our ability to provide them not only help now but into the future.

We owe them action. We owe them real investments that will help them get back to work, and that is what this legislation does. It does so because putting our servicemembers back to work is a cost of war. Putting our veterans back to work is a cost of war, just like their health care and benefits. It is part of what we owe the less than 1 percent of men and women who sacrificed for the 99 percent who did not.

It is no secret that this is not the easiest time of year to get a bill passed.

It is too easy to point to the calendar here and level accusations about politics against one another. But in my two decades working on veterans issues here in the Senate, I have seen veterans issues rise above politics time and again, even when it seemed our backs were against the wall. I have seen Democrats and Republicans come together, and they have done so because there is one group of Americans who do not care about the calendar or how many days we are out from an election; that is, our unemployed veterans. What they care about is finding work in their communities, finding work that gives them the self-esteem they need today, and finding work that helps them provide for their loved ones. We can do that today.

I urge my colleagues to join with us in waiving this point of order, to join with us in telling our veterans we are not done investing in their care and benefits, not by a long shot. Join with us in moving forward with a bill that is paid for, that will not add to our deficit, and that should not be killed by procedural games. Join with us in putting veterans above political obstructionism and back to work.

I yield the floor and yield back any time that remains.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion.

The yeas and nays have previously been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and 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 58, nays 40, as follows:

[Rollcall Vote No. 193 Leg.]

YEAS—58

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Heller	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (MA)	Kohl	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	Murkowski	
Gillibrand	Murray	

NAYS—40

Alexander	Coats	Enzi
Ayotte	Coburn	Graham
Barrasso	Cochran	Grassley
Blunt	Corker	Hatch
Boozman	Cornyn	Hoeven
Burr	Crapo	Hutchison
Chambliss	DeMint	Isakson

Johanns
Johnson (WI)
Kyl
Lee
Lugar
McCain
McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

NOT VOTING—2

Inhofe
Kirk

Mr. FRANKEN. On this vote, the yeas are 58 and the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to. The point of order is sustained, and the amendment falls.

Under the previous order, the cloture motions with respect to amendment No. 2789 and S. 3457 are withdrawn and the bill will be returned to the calendar.

The majority leader.

Mr. REID. Mr. President, I now move to withdraw my motion to proceed to Calendar No. 499.

The PRESIDING OFFICER. The Senator has that right. The motion is withdrawn.

MAKING CONTINUING APPROPRIATIONS FOR FISAL YEAR 2013

Mr. REID. Mr. President, I now move to proceed to Calendar No. 511, H.J. Res. 117, which is the continuing resolution.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows.

A resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes.

CLOTURE MOTION

Mr. REID. Mr. President, I am momentarily going to send to the desk a cloture motion that I will ask be reported. But prior to that, I am filing cloture. What a shame. Why would we have to file cloture on the continuing resolution? It is absurd. But I will go through the process and do it. I think it is just such a shame.

I have a cloture motion at the desk, and I ask that it be reported.

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 511, H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Mark Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Barbara Boxer.

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

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

Mr. REID. Mr. President, per our previous consent agreement which is now before the Senate, we will have the cloture vote after the caucus lunches, at 2:15 p.m. today.

RECESS

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

Thereupon, the Senate, at 12:35 p.m, recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. SANDERS).

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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, do hereby move to bring to a close debate on the motion to proceed to calendar No. 511, H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Mark Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Barbara Boxer.

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 H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE,) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted: ''yea.''

The yeas and nays resulted—yeas 76, nays 22, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—76

Akaka
Alexander
Ayotte
Baucus
Begich
Bennet
Bingaman
Blumenthal
Blunt
Boxer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Carper
Casey
Chambliss
Coats
Cochran
Conrad
Coons
Cornyn
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Hatch
Heller
Hoeven
Hutchison
Inouye
Isakson
Johanns
Johnson (SD)
Johnson (WI)
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lugar
McCaskill
McConnell
Menendez
Merkley
Mikulski
Murkowski
Murray
Nelson (NE)
Nelson (FL)
Portman
Pryor
Reed
Reid
Roberts
Rockefeller
Sanders
Schumer
Shaheen
Stabenow
Tester
Thune
Udall (CO)
Udall (NM)
Warner
Webb
Whitehouse
Wicker
Wyden

NAYS—22

Barrasso
Boozman
Coburn
Collins
Corker
Crapo
DeMint
Enzi
Graham
Grassley
Lee
Manchin
McCain
Moran
Paul
Risch
Rubio
Sessions
Shelby
Snowe
Toomey
Vitter

NOT VOTING—2

Inhofe
Kirk

The PRESIDING OFFICER. On this vote, the yeas are 76, the nays are 22. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Montana.

THE FARM BILL

Mr. BAUCUS. Mr. President, 3 months ago the United States Senate came together and passed a full 5-year farm bill. We did not kick the can down the road. We passed a bill, working together, that provides the certainty America's farmers and ranchers need to continue supporting rural jobs and putting food on our tables. So there is absolutely no excuse for Congress to adjourn without sending this bill to the President's desk to be signed into law. Still, because the House refuses to even bring this bill up for a vote, it looks as though that is exactly what is going to happen. It is shameful.

Passing the bill in the Senate was not easy; everyone had to make a compromise. But the farm bill touches on the lives of millions of Americans in every single State. It is too important not to act.

The Senate's farm bill is true reform. We cut the deficit by more than $23 billion over 10 years. We streamlined programs to make them more efficient. We went back to the drawing board on commodity programs and created a true safety net—one that works for America's farmers as well as for the taxpayers—again, cutting the farm program by $23 billion.

The House Agriculture Committee pushed out a bipartisan farm bill as well. I give the House Agriculture Committee a lot of credit. It is no secret that there are differences, but even to begin working out those differences the House needs to catch up, because despite having a bipartisan farm bill that passed the House Agriculture Committee, the House leadership is refusing to take it up.

This isn't my first farm bill. I can tell my colleagues from personal experience that this action in the House body is unprecedented. House leadership has never blocked a farm bill that

has been reported out of the House Agriculture Committee.

On September 30, our farm safety net programs expire and the farm program expires—just 11 days from now. This is our last chance to give America's farmers and ranchers the certainty they deserve.

This is also an opportunity to provide much-needed disaster assistance. Not long after we passed the farm bill in the Senate, a drought began to stretch across the United States. It was on the news virtually every night and has been for months. Wheat and cornfields have been drying up. Without enough forage, ranchers had to face the decision to either sell their herds or purchase extra feed, cutting into their very thin margins.

As of this week, more than 2,000 counties have been designated as drought disaster areas by USDA, and 36 of them are in Montana. That is well over half of our State in a disaster.

There is a consensus in Congress and across the countryside that something must be done, and the farm bill is that something. We had a bipartisan vote here in the Senate by a large margin and, as I mentioned, a bipartisan vote in the House Agriculture Committee.

We have so many reasons to be grateful for the hard work of America's farmers and ranchers. They help sustain healthy rural economies. And because of the strength of America's agriculture, they put food on tables around the world. In 2011, agricultural exports reached $137 billion, with a record surplus of more than $42 billion.

Agriculture supports 16 million jobs nationwide. In Montana, one in five jobs is tied to agriculture. The farm bill is our jobs bill.

Last week many Montana farmers and ranchers came to town to talk about the farm bill. They each told me and other Senators and House Members the same thing: We need a farm bill, and we need it now.

Three of those Montanans were Bing Von Bergen from Moccasin, Ryan McCormick from Kremlin, and Charlie Bumgarner from Great Falls. Bing, Ryan, and Charlie, similar to many Montana farmers, plan to go into the field next month to plant their winter wheat. They will be doing so with the current farm bill expired. They will be doing so with no certainty of what the farm programs will be—that certainty which community bankers happen to rely on to advance loans so farmers can plant.

They do not want to see the farm programs expire. They do not want short-term extensions. They need the certainty of a full 5-year farm bill.

I urge the House to listen to what farmers and ranchers across the country are saying: The time to pass the farm bill is now.

Holding up a farm bill with wide bipartisan support is playing politics with the livelihood of our hard-working rural constituents. Instead, let's do our job so farmers can do theirs. Let us answer their calls and pass a 5-year farm bill now.

TRIBUTE TO RUSS SULLIVAN

Mr. President, I would like to take a few moments to tell you about a dedicated public servant and his son—Russ Sullivan and Alhaji Amadu Hassann, or AJ, as he was known by his family and friends.

AJ died on July 28 of this year. But in his short life, he inspired people through his exuberance for life, his courage, and his determination. Born in Sierra Leone, west Africa, in 1992 during the midst of a brutal civil war, violence served as the backdrop to AJ's early childhood in Freetown, Sierra Leone.

As a young boy, AJ, his mother, and two sisters were forced to flee their war-ravaged country to Guinea, where they found safety in a refugee camp. However, life in the refugee camp was difficult. There was no work for the adults, no formal schools for the children, and little hope for a better life. Unable to return to their homeland, their lives were put on hold for 8 years as refugees.

But AJ remained hopeful for a brighter future. That day came in 2002, when their father, who was living in the United States, was able to bring AJ and his sisters to America.

The children—15-year-old Ousmatta, 11-year-old AJ, and 9-year-old Laretta—moved in with their father in Virginia. However, their father had struggled in America. Similar to many who do not have steady work, he did not have health insurance. So when AJ's father got a tooth infection, he ignored it. Left untreated, the infection spread throughout his entire body and AJ's father died.

An aunt tried to raise the three children on her own but had difficulty making ends meet. The children were split up. A cousin took in Laretta, Ousmatta stayed with their aunt, and AJ was taken in by a man named Russ Sullivan.

Russ has long been serving as a foster parent in the community. He has mentored dozens of young men, becoming the legal guardian of some and helping hundreds see a different course for their life. Russ took in AJ. Then Russ took on additional responsibilities of becoming AJ's legal guardian.

So who is this man Russ Sullivan? Russ Sullivan is the staff director of the Senate Committee on Finance. He is known in the Senate—as Senator HARRY REID has said—as ''a problem solver.'' Russ has developed a reputation for leadership, dedication, and respect for his colleagues. His staff admires him, his colleagues trust him and admire him, and I am honored to call him a friend. Nobody who has met and worked with Russ Sullivan has a different point of view. I have never heard anyone utter a criticism of Russ Sullivan, and no one ever will; he is that kind of man.

Philosopher Thomas Carlyle once said: ''The work an unknown good man has done is like a vein of water flowing hidden underground, secretly making the ground green.''

That is Russ. His name is not in lights. People do not know about him. He is working to solve problems and make the ground green.

Under Russ's nurturing care, AJ began to adjust to his new life in America. AJ had boundless energy and loved to play soccer. He was fun to be around, had a great sense of humor, made friends easily, and loved to flirt with the girls.

AJ completed high school but had no intention of going to college. That was until Russ came into his life. In April 2011, AJ told a newspaper reporter that his life changed after meeting Russ. This is AJ:

> I was just going to do what everybody else was doing—drop out and get a job. But after I met Russ, everything changed about my mentality toward life. He started pushing me and getting me to think harder. . . . He's a great man, and I thank God I met him. . . .

AJ first enrolled at Salem International University and after 1 year transferred to the University of West Virginia. He majored in sports management and loved being a ''Mountaineer.''

Then tragedy struck. In a senseless act of violence, AJ was assaulted in front of a local college hangout. He fell, hit his head hard—back, head snapped—and over the next few hours slipped into a coma.

On Capitol Hill we were in the middle of deficit reduction negotiations. When Russ received the news about AJ, he rushed from Washington to West Virginia, where he stayed at AJ's side.

Over the next month, Russ was traveling back and forth—back and forth—from West Virginia to Washington. This is during the supercommittee talks. Russ was juggling not only his career but also AJ's medical treatment. He was also forecasting what we could do. He was fostering several other boys—this is not the only boy Russ was a foster father for—and Russ kept working with the extended family and friends in the loop. He kept working with them and telling them and keeping them informed about AJ's condition.

I often hear the media reports about Capitol Hill being dysfunctional—the sides are polarized and compromise is a dirty word. But when Chris Campbell, the Republican Senate Finance staff director, heard the news about AJ's injury, he enlisted his staff and the Republicans stepped up to help. They took Wednesdays.

For the next couple months, Russ's boys—18 in total when they are all home from college; imagine, Russ Sullivan is the foster father for 18 different young men—knew that Wednesday night was pizza night, coming from the pockets of the Republican Finance Committee staff. ''Wednesdays'' was that night.

AJ was moved from the West Virginia hospital to Children's Hospital and Rehabilitation Center in Washington, DC, where he remained for the

next several months until his death in July.

We mourn for the loss of this young man—who brought an incredible light to this world and light to Russ's world and to all who met him. He brought such a light in such a short period of time.

We are fortunate to have Russ working on Capitol Hill. Russ epitomizes public service. He is honest. He is direct, upbeat, positive, looking for solutions, cutting through all the redtape. He always seeks to understand the arguments and keeps searching for the common ground—constantly. Senator REID keeps asking me: Can Russ help here? What can Russ do about this, in trying to reach out to the other side to find an agreement. He has always been someone I respect and trust. He is also someone I have come to admire.

Months have passed since AJ's death, but his zest for life remains in the hearts of those closest to him. Russ continues mentoring and helping others, changing lives one after another.

Just last week, Russ witnessed a victory for another one of his boys. The boy had been wrongfully convicted of a crime and was facing deportation. But because of Russ's continued diligence and commitment, his innocence was proven and the conviction was overturned. That was just a few days ago.

Harvard Professor Rosabeth Moss Kanter once said: ''A vision is not just a picture of what could be; it is an appeal to our better selves, a call to become something more.''

Russ sees the vision of what could be and rolls up his sleeves to make it happen.

I know I speak for all of us on the Senate Finance Committee—and many of us in this body as a whole—when I say: Thank you, Russ. Thank you for making us want to find our better selves, thank you for working to make the future better, and thank you for all you do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am personally very grateful for the wonderful remarks of my colleague, the chairman of the Finance Committee, because I do not think any words could express how much Russ means to all of us. He is a wonderful man. He is a wonderful leader on the committee. He is honest. He is straightforward. He works with you. Frankly, we all think the world of him on our side as well. I just wish to compliment the distinguished chairman for his beautiful remarks about a tremendous person and the foster children he has worked with.

Russ is the epitome of greatness on the Senate Finance Committee and as a staff member of the Senate. So I wish to personally pay tribute to him and express my sorrow over the loss of his son AJ and express my love and affection for him. He is a good man, helping a good chairman. We work together very closely, and I have a lot of regard for what the chairman just said and a lot of regard for Russ and wish him the best.

I hope the Good Lord will comfort him and comfort his soul during this very trying time.

Mr. BAUCUS. I say to the Senator, thank you very much. I know Russ deeply appreciates that, and we all do. I thank the Senator.

UNANIMOUS CONSENT REQUEST—S.J. RES. 50

Mr. HATCH. Mr. President, on July 12, 2012, the Obama administration's Department of Health and Human Services issued an Information Memorandum informing States that for the first time in the 16-year history of the Temporary Assistance for Needy Families Program, HHS would permit them to waive welfare work requirements.

This action undermines a robust work-first approach that was one of the key features of the 1996 Welfare Reform Act.

If allowed to stand, this action could result in activities such as journaling, bed rest, and smoking cessation classes being counted as work for the purposes of meeting Federal welfare work performance standards.

This change in policy presents a serious substantive question. Should taxpayer dollars go to welfare recipients who are not working but are instead journaling or working to quit smoking?

But it presents serious institutional questions as well because the action by the Obama administration was, quite simply, a unilateral power grab that usurps the constitutional power of the legislative branch, and every Member of this body ought to be concerned about it. That is no small thing.

Our Constitution, for good reason, locates the lawmaking power in the Congress. That is because our Founding Fathers understood that in a republic of laws, the lawmakers must represent the people directly. The people must have a close hold on the representatives who create the laws under which we live.

If changes are going to be made to the welfare work requirements, it should be up to the Congress to make them. Faceless bureaucrats at HHS should not be the ones making changes to the welfare work requirements. Yet that is exactly what happened here.

Unelected bureaucrats at HHS are attempting to change the law—a law passed by the Senate and the whole Congress. If left unchecked, welfare policy is being substantially changed by the Obama administration in a way that never would have been acceptable to the people's elected representatives in Congress.

No administration should be permitted to disregard the laws Congress passed and simply make up their own rules.

For 16 years, no President, Health and Human Services Secretary or Governor—regardless of political party—believed welfare work requirements could be waived.

If the Obama administration believes welfare work requirements should be changed, they should submit a legislative proposal to Congress.

In the 3½ years before the July 12 information memorandum, the Obama administration never offered a legislative proposal to change the welfare work requirements.

The unprecedented nature of the Obama administration's power grab is supported by the nonpartisan Government Accountability Office.

On September 4, 2012, the GAO responded to an inquiry from Ways and Means chairman DAVE CAMP and me.

They determined that the July 12 information memorandum was a rule that should have been submitted to Congress. GAO further found that as a rule, the information memorandum was subject to the Congressional Review Act. The Congressional Review Act provides Congress with an opportunity to review and, where appropriate, disapprove rules issued by the executive branch.

When more and more of the rules that govern the American people are being made by anonymous and unelected bureaucrats with no responsibility to reflect the priorities of the American people, the Congressional Review Act is a critical device and one we should always uphold. It allows the people's representatives in Congress to stand up and reject a rule emanating from the Federal bureaucracy.

The Committee on Ways and Means favorably reported the resolution of disapproval last week. The full House of Representatives will consider the resolution of disapproval this week. I have introduced S.J. Res. 50, a resolution of disapproval here in the Senate. I am pleased that my legislation is cosponsored by 21 of my colleagues.

The Congressional Review Act also provides for fast-track consideration of a resolution of disapproval when a Senator has secured at least 30 Senators on a discharge petition. That means no filibuster. I am pleased to report that I have well over 30 signatures on the discharge petition. Unfortunately, this expedited process does not kick in until later this month.

The Senate will be voting on my resolution, there is no question about that. The only question is when. In my view, we should take up this matter now. It is a critical issue for the American people, and it is a critical issue for this institution. As the people's representatives, it is a dereliction of duty to stand by while unelected officials attempt to change the law unilaterally without the constitutionally-prescribed input of the people's representatives in Congress. For that reason, in a few moments I will propound a unanimous consent request for debate, followed by a vote on proceeding to the resolution of disapproval. It is a simple request. A vote on the resolution of disapproval is inevitable. The only question is whether the majority will allow a vote in a timely manner.

Therefore, I ask unanimous consent that the Committee on Finance be discharged from further consideration of

S.J. Res. 50, a joint resolution disapproving a rule submitted by HHS regarding welfare waivers; that there be 2 hours of debate on the motion to proceed equally divided and controlled between the two leaders or their designees; and that the Senate then proceed to a vote on the adoption of the motion to proceed.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Is there objection?

The Senator from Maryland.

Mr. CARDIN. Madam President, I reserve the right to object. Under my reservation, let me first thank my colleague from Utah for bringing this matter before us. But, like him, I was in the Congress in the late nineties when we passed the TANF law. I remember being part of welfare reform. Prior to that time, we had what is known as AFDC, aid for dependent children, which was an entitlement program that offered the States the opportunity to move forward without risk because they were guaranteed a certain amount of money for every child who was eligible—for every family who was eligible for welfare funds. We changed that to provide for temporary assistance for needy families, TANF.

I remember very clearly working with the States and working with my distinguished colleague, and what we told the States was this: You are going to get a block grant. That means you are going to be bottom-line responsible for the program, that there will no longer be a guarantee on the number of families who are enrolled in welfare as to dollars you are going to receive.

We promised two things: We told the States we were going to give them the tools they needed to get the job done. We provided the funds so they could provide for job training so that the people on welfare would have adequate skills in order to get jobs. We promised them childcare so that children could be taken care of while they were in the workforce.

We provided the tools, but we also said we would provide the States the flexibility to get the job done. We provided accountability, and accountability was the participation rate, which could be satisfied in different ways, which said the States have the flexibility to get the job done—a model of federalism—but we would let the States experiment to figure out the best way to accomplish the end result: getting people off of cash assistance, getting them into the workplace.

Now, let me point out to my colleagues that the waiver authority has been in the law for a long time, section 1115. We have had our disagreements with all administrations on the use of the waiver authority. My colleague refers to the GAO's report which dealt with five waivers that were requested from 2000 to 2009. Those State waivers sought relief from specific requirements. It did not bring forward an innovative new approach to try to use State experimentation to get the best results.

It is interesting that in 2008, under the Bush administration, Health and Human Services documented that the waiver authority indeed existed as it related to the participation rates and the way in which they could be satisfied.

Secretary Sebelius has made it clear that the waiver will only be used for a credible plan to increase employment by 20 percent. So she is looking at using the waivers to increase participation rates, to increase the number of people who are actually employed. If there is not progress within a year, the State runs the risk of losing the waiver. It is focused on improving employment outcomes for participants.

I must say that I am extremely disappointed about the partisan nature of this discussion. I say that because I think we have all seen the ads that have been put on the networks by Governor Romney that accuse the Obama administration of eliminating the work requirement on TANF, on welfare, when the fact is that the use of this waiver authority has been to strengthen the work participation rates—to strengthen the work participation rates. These ads have been condemned by major news sources on both the left and right. They understand this. So you would think that once Governor Romney understood that his ad was misleading and wrong, he would take it off the air, but instead he has actually increased the usage of this ad, which I find to be outrageous. Maybe it is consistent with Governor Romney's recent disclosure of his concern for half of America, saying it is not his problem.

My job—our job—is to consider the needs of all of our constituents. TANF is a program that I think represents a model in federalism. It allows us to learn from the States so we can take their best models and use them for national policies. That is the reason for federalism. That was the reason we went to TANF reform. What the waiver authority is being used for is to give us that experimentation.

We have heard from more and more States that Congress mandates too much. I hear from my Republican colleagues all the time that we have too many mandates. Well, some States have a better way of doing it. Rather than spend their money dealing with the mandates, they said: Look, we will accomplish the bottom line. We will get more people working. We will get better results. We will get people better trained. We will not only get people employed, but they will have the skills to go up the employment ladder, to really succeed and have good-paying jobs in their lifetime. Let's do what is right, and then you can learn from us, rather than having to listen to the specific mandates some of my colleagues would like to see in stone here from Washington.

This was a commitment we made to the States in the nineties. The waiver authority is in existing law. The Secretary of Health and Human Services, Secretary Sebelius, is only using it for innovative approaches that increase the work responsibilities of the State, not diminish them. That has been well documented.

For all of those reasons, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Madam President, I appreciate my colleague's remarks, much of which I agree with. That still does not negate the fact that the administration has acted unilaterally as the executive branch to usurp powers of the legislative branch. That is the issue. It is a very important issue. It is the responsibility of the Congress, not the President, to give the States flexibility with regard to the work requirement. The Constitution is pretty explicit on that.

GAO reported today that even though States had requested or inquired about waivers, no administration—not the Clinton administration, not the Bush administration, not the Obama administration—believed they had waiver authority; that is, until July 12 when HHS did this. I think they knew they were wrong.

The latest GAO report details how whenever States requested TANF waivers in the past, HHS responded that no such authority exists. Between 2000 and 2009, during the Clinton, Bush, and even Obama administrations, HHS has consistently told States they have no waiver authority. Specifically, GAO finds that at least five States asked HHS about TANF waivers during that period. In two of those cases, GAO said the HHS official response said they ''did not have authority to provide waivers.'' In the three other cases when States asked informally, GAO reports that HHS responded saying that ''the requested waiver authority was not available.''

Separately, in 2005 and 2007 HHS published two ''program instructions'' about flexibilities in TANF, both indicating that no waiver authority existed. In these instructions, HHS stated, ''We have no authority under current law to waive any of the TANF requirements'' and ''We have no authority to waive any of the provisions of the Act.'' Only the Obama administration has claimed the ''authority,'' circumventing Congress.

Look, this is not just a political issue, as the distinguished Senator from Maryland, one of my dear friends here, said. We both graduated from the University of Pittsburgh School of Law. I have great admiration for him and great feelings toward him. But only the Obama administration has claimed this ''authority'' circumventing Congress. The latest GAO report highlights that only the Obama administration has claimed the authority to waive welfare work requirements. Further, GAO notes that this action by current HHS officials is in response to the President's February 2011

memorandum, which, according to subsequent administration guidance, solicited ''input on significant statutory barriers that could be addressed through waivers.''

Especially when viewed in the context of the President's ''we can't wait'' agenda, it is clear that this HHS proposal is part of an organized administration effort to circumvent Congress and its legislative authority. We have seen that time after time with an abusive use of Executive orders.

Look, TANF has worked amazingly well because of the work requirements in TANF. There is a good reason no other administration has tried to pull this type of a stunt.

Whether you agree with the administration or not, it seems to me we ought to first uphold the rights and powers of the legislative branch of government that cannot be circumvented just because a President wants to do something on his own. That is what is involved here. I think we ought to all stand, Democrats and Republicans, and say: Look, you are not going to be able to do this. If you want to do it, then you are going to have to do it through statutory changes or at least ask Congress for permission.

That is the purpose of asking for this vote which has been objected to. I guess we will do it during the lame-duck session. But the purpose is to stand up for the rights of the Congress of the United States and especially the rights of the Senate that are being ignored.

There is a lot more I can say about it. That basically covers it. I appreciate my colleague's feelings on this matter, but to put it in the category that this is Mitt Romney trying something—Mitt Romney has had basically nothing to do with it other than he agrees with what we have done. He said that after we did it. He did not come to me and ask me to do it.

The fact is we are standing for the legislative prerogatives that we really ought to stand for and that the GAO said should be stood for because they declared it a rule. The GAO is not in the pockets of Republicans or Democrats; it is there to try to determine these types of issues that are extremely important legal issues, extremely important legislative issues, extremely important separation-of-powers issues. So that is what we are doing here, and it really shouldn't even be a political issue. We ought to just vote and let it go at that. But it has been objected to, and I am willing to wait until the appropriate time to have a vote.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I very much appreciate my friend Senator HATCH, and we are good friends, and I very much appreciate the point he makes. I do need to correct at least two points.

One, I graduated from the University of Pittsburgh undergraduate, not law school. I am a graduate of the University of Maryland Law School, and I want to make sure my friends in Maryland know it was their law school.

Mr. HATCH. If the Senator will yield, I certainly retract my statement on that. But I feel bad the Senator didn't graduate from the University of Pittsburgh, as I did.

Mr. CARDIN. Well, I was afraid to apply. I wasn't sure I would get in.

The second point, on a more substantive matter on this debate, is that I wish to point out the requests that were made for waivers between 2000 and 2009 were from the final requirement. They didn't seek to bring forward a demonstration program or a different way to get to their results. The difference here is that States should have the flexibility to come in with innovative ways if they accomplish at least what we set out in law for them to accomplish. In fact, with these demonstration waivers, they will have to do better on the end result on people working. I just wanted to point that out because I thought there were differences from the prior requests that were made and Secretary Sebelius's response.

Mr. HATCH. Madam President, I would just add that if they want that type of authority, they should come to the Congress and ask for it because we put that authority subject to Congress's decisionmaking, and it shouldn't be done unilaterally by an out-of-control approach by the executive branch. That is what is involved, and it is important. Whether one is a Democrat or a Republican, we ought to have an understanding of the legislative and executive branches and our rights and prerogatives in Congress. There is nothing that says States can't add work requirements that are legitimate work requirements in the statute. They didn't need this type of unilateral decision by the HHS Department to do that. That is the point.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. I thank the Chair.

(The remarks of Mr. SANDERS and Mr. FRANKEN pertaining to the introduction of S. 3562 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. FRANKEN. I thank the Chair.

(The remarks of Mr. FRANKEN pertaining to the introduction of S. 3557 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

THE RYAN BUDGET

Mr. HARKIN. Madam President, today as I have done for days since we have been in session since we returned from our August break, I have been talking about the impact of the Ryan budget, which is now the Romney-Ryan budget, on America and what it would mean for our future. I take the floor today as I have in the past to talk about one aspect of it. In the past I have talked about impact on health care, on education, on the social safety net. Today I wish to talk about what the Romney-Ryan budget does to our infrastructure, to job training, to avenues to the middle class for people.

The real question the American people face this coming election is: Are we going to restore and rebuild the middle class or are we going to continue to shift even more and more of our wealth to just a few at the top at the expense of the middle class?

My Republican friends have made clear where they stand on this. They have done so when nearly every Republican in Congress voted in favor of the Ryan budget plan which Governor Romney embraced as ''marvelous.'' The very centerpiece of the Ryan budget is a dramatic shift of even more wealth to those at the top, huge tax cuts for the richest 2 percent. Those making more than $1 million a year would get an extra $394,000 a year in tax breaks under the Ryan budget. That is on top of the $265,000 they already have. That brings it up to well over $400,000, almost $500,000 a year they would get.

We keep hearing a lot of talk about entitlements for the poor. Governor Romney, when he talks about entitlements, always focuses on the poor. How about this. If you make over $1 million you are entitled to it. You will not hear him talk about that entitlement.

How do the Republicans in the Ryan budget pay for these huge tax cuts that total over $4.5 trillion over 10 years? The Romney-Ryan budget would partially offset the tax cuts by making deep, Draconian tax cuts that undergird the middle class and that are essential to the quality of life in this country—everything from education, student grants, loans, to highways, bridges, other infrastructure projects.

Last, the Romney-Ryan budget offsets big new tax cuts for those at the top by actually raising taxes on the middle class. Yes, you heard me, that is exactly right. The nonpartisan Tax Policy Center estimates that under the Ryan plan, middle-class families with children would see their taxes go up on average by more than $2,000.

The bottom line is that the Ryan budget does not reduce the deficit. The savings they gain by slashing spending and raising taxes on the middle class basically go to offsetting the $4.5 trillion in new tax cuts, which, I just pointed out, go to the wealthiest Americans.

I think this shows you right here what would happen to the deficit. We always hear the talk about balancing

the budget. The truth is Representative RYAN and Mr. Romney are not interested in balancing the budget. Their plan would not balance the budget until 2040—28 years from now.

As I said earlier, Mr. RYAN is a true acolyte of former Vice President Cheney who, in an unguarded moment, said that deficits don't matter. That was Vice President Cheney. If you look at the debt piled up under the Bush years, you will see they didn't think deficits matter.

Look at this. Here is the debt held by the public under the Ryan budget from 2013 to just 2022, in the next 10 years. Look at the debt. The debt does not go down, it goes up. Where does this debt go? Tax cuts for the wealthiest Americans, that is where it goes.

Representative RYAN doubles down on the theory that if we give an even greater share of wealth to those at the top, it will magically trickle down, a theory that was tried under President George W. Bush. But in the years after those Bush tax cuts we know what happened to jobs in America—they plummeted in the years after George Bush and those tax cuts went into effect.

Today I want to focus specifically on the impact of the Romney-Ryan budget on our Nation's infrastructure and job training. Both, I believe, are crucial for the creation of middle-class jobs in a competitive global economy. Regrettably, the Ryan budget would be a devastating one-two punch to our Nation's economy and slash investment in infrastructure which would slash hundreds of thousands of well-paying jobs. It would radically reduce funding for job training, reducing opportunities for the unemployed to get retooled for jobs in sectors of the economy that are doing well, where they are needed.

The United States now competes in a global marketplace. To improve our competitiveness and to give our workers the education and skills they need to compete, both our public and private sectors must make a robust investment in infrastructure, education, and job training.

Overcrowded and crumbling roads, outdated waterways, other means of transportation and transport have a profoundly damaging effect on our economy. This increases the time and expense of moving goods, it hurts our global competitiveness, as I said, especially at a time when our rivals in the global marketplace are investing heavily in both infrastructure and job training.

Even maintaining our current levels of infrastructure investment will have negative consequences for our economy. That is if we just maintain what we have.

The American Society of Civil Engineers predicts that, if current trends continue, by 2020 our continuing infrastructure will result in 900,000 fewer jobs and $900 billion in lost economic growth.

This was the American Society of Civil Engineers in 2011. They said:

The deficiencies in America's roads, bridges and transit systems cost American households and businesses roughly $130 billion, including approximately $97 billion in vehicle operating costs,

You can read that to mean potholes and things that bang your car up.

—$32 billion in delays and travel time,

If you have been stuck in a lot of traffic.

—$1.2 billion in safety costs and $590 million in environmental costs.

That is the Society of Civil Engineers. That is not part of the Democratic Party or any party. This is a nonpartisan economic look at what is happening in our infrastructure.

By slashing these investments to even lower levels, the Ryan budget will only make these problems worse, not better. In fact, the Ryan budget cuts transportation spending by one-third in the first year.

We are not talking about a little nip and a tuck on infrastructure. Here is the fiscal year 2012—enacted—transportation budget: $89 billion. The Ryan-Romney budget for next year, $57 billion. It is almost a one-third cut. Think what that would mean to the jobs in America. Think what it means to our crumbling infrastructure.

Then you have to compare how much we are investing in our infrastructure to what one of our biggest competitors, China, is doing. Here is China. As a percent of their gross domestic product, they are spending 9 percent of their GDP on infrastructure. Here is the United States. In 1960, when I was a college student working summer jobs, laying pavement and building bridges on the Interstate Highway System, we were spending 4 percent of our GDP on infrastructure. We are now down to 2.4 percent. And the Romney-Ryan budget would take that even lower.

So already our Federal investments in infrastructure are inadequate. For example, we have failed to bring the half-century-old Interstate Highway System into the 21st century. Again, the Romney-Ryan budget would make that even worse. The Romney budget would make deep cuts to funding for the Corps of Engineers which is already grossly underfunded and struggling to maintain a deteriorating waterway system so crucial for the movement of bulk goods, and, I might add, also crucial for flood control.

The Ryan budget would also take a meat axe to Federal funding for job training and education, America's pathway to the middle class. It would jeopardize vital job services for millions of Americans. Thirty-one million Americans got Federal help with their job searches last year—help to write their resumes, prepare for interviews, information about the best jobs available in their local area, referrals to job openings. Several hundred thousand were also able to participate in job training under Federal programs. This gave these American workers the opportunity to compete for good jobs so they have a shot at the middle class. It created a steady supply of skilled workers for U.S. businesses, made their operations more productive, and it helped them to grow.

Think about it; several hundred thousand people out of work were able to participate in job training because of Federal programs. That is part of Mr. Romney's 47 percent that he says he doesn't care about, who are the takers in our society. No, no, Mr. Romney, they are not takers. These are people struggling to make a better life for themselves and their families. They want job training. They want better education. They want to upgrade their skills. They want to work. The Romney-Ryan budget would pull the rug out from underneath them and say: Tough luck, you are on your own. I don't think they should be on their own; they should be part of our American family.

Without sustained robust investments in quality infrastructure and well-trained workers, America will fall behind and job creation will suffer. This is a critical threat to the future of the middle class in our country.

In essence, the Ryan budget essentially rejects the very possibility that the Federal Government can act to spur economic growth, boost competitiveness, and create good middle-class jobs. But this flies in the face of overwhelming evidence to the contrary. At critical junctures going back to the beginning of our Republic, the Federal Government has stepped up to the plate, acting decisively to spur economic growth, foster innovation, and help create jobs. In 1791, Alexander Hamilton presented to Congress his landmark Report on Manufactures, a set of Federal policies designed to strengthen the new Republic's economy by creating a network of roads and canals.

The most visionary 19th century advocate of Federal investments to spur economic growth was the first Republican President, Abraham Lincoln. In 1862 he signed the Pacific Railway Act to finance construction of the transcontinental railroad, one of the great technological feats, by the way, of the 19th century. But Lincoln did more; he created the Department of Agriculture to modernize agriculture and distribute free land to farmers. As a proud graduate of Iowa State University, I also note Lincoln dramatically expanded access to higher education across the United States by signing into law the Land Grant College system. Taken together, these initiatives had a transformative impact on the U.S. economy.

It is humorous to imagine how today's Republicans would have reacted to Lincoln's agenda. What if Abraham Lincoln were to present this today to the tea party? He would not get anywhere.

Later, in the 1950s, there was another Republican president, Dwight Eisenhower, who championed one of the greatest public works projects in our national history, construction of the

national highway system. A 1996 study concluded that the Interstate Highway System is an engine that has driven 40 years of unprecedented prosperity in America.

In recent times, the Federal Government has funded and spearheaded scientific discovery and innovation. The Department of Defense invented the Internet. It was Federal research that led to the invention of the global positioning satellite system. Any discussion of the Federal Government's historic role in discovery and innovation and job creation must acknowledge the staggering achievements of the National Institutes of Health. More than 80 Nobel Prizes have been awarded for NIH-supported research. So it is absurd to claim that the Federal Government cannot serve a positive and even profound role in boosting the economy and spurring innovation. But the Romney-Ryan budget demands that we permanently hobble the Federal Government. That is the Romney-Ryan budget. This negative, defeatist viewpoint is dead wrong, and the disinvestment it advocates will only send our country into a death spiral of stagnation and decline.

Going back to the 1930s, the American people have supported and strengthened a kind of unique American social contract. The social contract says a cardinal rule of government is to provide a ladder of opportunity so that every American can realistically aspire to the American dream. The Ryan budget would rip up that social contract.

Don't take my word for it. Former Reagan economic adviser Bruce Bartlett on the Ryan budget said this:

> Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them.

The Ryan budget rips up the social safety net, disinvests in our infrastructure, cuts funding for job training, cuts money for education, cuts money for health care. As I said, it is a negative, defeatist viewpoint that will set our country into a death spiral of stagnation and decline.

The Romney-Ryan budget would replace the unique American social contract that we have with a survival-of-the-fittest, winner-take-all philosophy that tells struggling, aspiring Americans and their communities: Tough luck, you are on your own.

I agree with former President Bill Clinton. We have two philosophies: the Romney Ryan budget—tough luck, you are on your own—or the other philosophy that we are all Americans and we are all in this together. We are all mutually supportive. We believe in a ladder, a ramp of opportunity, and, yes, we believe the Federal Government has a powerful role to play in making sure all Americans can aspire to the American dream. They can reach the middle class. They can achieve the highest of their potentialities and their abilities. That is the difference.

I think the American people need to know what is in the Ryan budget. One might say: Well, a budget is a budget.

A budget is a blueprint. Just as we build a building, we have to have a blueprint; a budget is a blueprint for the future of where we want to go. Communities have budgets, families have budgets, schools have budgets. We have a budget so we can plan. It represents where we want to be in the future. The Ryan budget is a blueprint for defeat and a death spiral into stagnation for America.

I believe the more the American people understand and know what is in that Ryan budget, the more they are going to turn it aside and say: No, we can do better than that in America. We need a budget that reflects our hopes and aspirations and our abilities as Americans to work together to achieve the American dream for all.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FISCAL CLIFF

Mr. THUNE. Mr. President, the Senate is sort of wrapping up its business, if you will, until after the election. It is ironic, in a way, that there are so many big issues in front of us as a nation—so many challenges—yet we are talking about things I am sure are important, but, once again, we are punting, kicking the can down the road on all the big crises in front of us as a nation.

I have to say that never before has a President and a Senate done so little when the Nation's challenges are so great. People have talked about the fiscal cliff repeatedly, and people have talked about the fiscal crisis in which we find ourselves in terms that I think ought to frighten all Americans. It certainly ought to frighten Members of Congress when we talk about the most predictable crisis in American history, probably in human history. It is not like it is any surprise what is going to happen. We are repeatedly reminded by all of the experts that if we don't deal with this issue of the fiscal cliff, it will have devastating, catastrophic impacts on our economy, on our national security, on our country, and on the American people. Yet we are not addressing it and doing what we should be doing to avert the disaster ahead of us, the fiscal cliff that faces us on January 1 of this next year.

It is not as though there isn't already a lot of evidence that we have big problems. We just crossed the $16 trillion level in terms of our debt. We have added over $1 trillion of debt every single year now for the past 4 years, since President Obama has taken office. That is $50,000 for every man, woman, and child in America. Everybody in America—man, woman, or child—now has $50,000 as their share of Federal debt. So it is a fiscal crisis unlike anything we have seen before, and it has, as I said, been predicted.

The Congressional Budget Office has said if we don't deal with the fiscal cliff, it will plunge the economy into recession. They have suggested that it will reduce by 2.9 percent the size of the economy. We actually will have a contraction of the economy in the first 6 months of next year.

They have also projected it will drive unemployment above 9 percent. Granted, we are over 8 percent today. We have been at 8 percent now for 43 consecutive months. That is the longest stretch in history. In fact, if we go back to the time the Bureau of Labor Statistics started keeping unemployment data and we add up the data for the 11 Presidents from Harry Truman through the end of the George W. Bush administration—about 60 years—there were 39 months where the unemployment rate exceeded 8 percent. That is 11 Presidents in about 60 years of history where we have had unemployment above 8 percent.

We have now had unemployment above 8 percent for 43 consecutive months. So 39 months in the first 60 years since they started keeping data, and 43 months now in a row under the current administration.

We have the Federal Reserve telling us if we don't deal with our fiscal crisis, the economy is going to soften next year.

We have ratings agencies such as Moody's suggesting that if we don't have a plan in place not only to deal with the sequestration that is going to occur at the end of the year in a way that is paid for but also to deal with the longer, structural problem—the debt and deficits crisis we have in this country—we are facing a downgrade in our credit rating.

You had the World Economic Forum come out just recently with their assessment about the world's most competitive economies. Back in January of 2009 when President Obama took office, the World Economic Forum found that the United States had the No. 1 most competitive economy in the world. In terms of global competitiveness, the United States was ranked No. 1. Now we have dropped. We had dropped to fifth, and this year, just recently, as I mentioned, when they came out with their current rankings, the United States had dropped down to seventh. So in a short 4-year timespan, we have gone from first in terms of global competitiveness down to seventh. That does not speak well for the steps that are being taken here in this country to make America competitive in the global economy, to deal with the problems of spending and debt and the fiscal cliff that is ahead of us.

It is interesting to note that at the World Economic Forum—what did they point to in terms of their analysis?

Why did they come to the conclusion that the United States had fallen from first in January of 2009 when the President took office to seventh here this year? Well, they pointed out spending, debt, taxes, regulations, redtape—all the things that come from Washington, DC; all the things that are controlled by policies here in Washington; the regulations that continue to spin out of various government agencies that drive up the cost of doing business in this country, that make us less competitive; the higher taxes that are being assessed on our economy in so many different ways; and, of course, all the taxes that are going to take hold, take effect as part of ObamaCare, the health care law that was passed a couple years ago, that begin to kick in. So you are going to have higher taxes. You have the redtape associated with doing business in this country and the bureaucracies, the mandates, the requirements that are imposed on our small businesses and our job creators. And then, of course, as I said, you have this massive amount of debt that hangs like a cloud over our economy. These are all factors that contribute to this assessment that has basically downgraded the United States from the No. 1 position in terms of global competitiveness to No. 7.

So the question before the house is, What can we do? What should we be doing to avert that crisis? Well, it strikes me, at least, that it starts with having a plan and working together, having the President step forward with a plan that would make sure our economy does not go into a recession next year; that makes sure the defense cuts that would occur under the sequester—which are terribly disproportionate relative to the size of the defense budget as a percentage of our total budget—do not harm our national security interests; figure out ways to solve that problem; reduce spending in other areas to redistribute the cuts. Defense represents only 20 percent of the entire budget, but it gets 50 percent of the cuts under this across-the-board sequester that would take effect on January 1 of next year.

Our national security experts and our military leadership have said that if these cuts take effect, we will have the smallest Army since the beginning of World War II. You have to go back to 1940 to find a time when we would have had an Army that is that small. You have to go back to 1915, before World War I, to find a time when we would have had a Navy that is as small as it will be if these cuts take effect in the number of ships we have at our disposal. And we would have the smallest Air Force, literally, in the history of the Air Force.

That is what our military leadership is telling us will happen if these devastating cuts take effect. You have had the Secretary of Defense, Leon Panetta, the President's own Secretary, say that this would be catastrophic, that these cuts would be disastrous. You have the service chiefs saying the very same thing.

So we have all this right in front of us, staring us in the face, and instead of dealing with that crisis we are putting bills on the floor that really do not have near the consequence—as I said, I am sure important; I am not denigrating at all any of the legislation the Senate is considering, but it seems to be right now geared a lot more toward the election than it is about saving the country and doing the things that are necessary to avoid this cliff that is ahead of us and all the disastrous consequences that come with it.

Now, just again, a point of fact, and I mentioned this before. We have had now 43 months of 8 percent unemployment or above. We have 23 million Americans who are either unemployed or underemployed. We have seen that the data continues to suggest how sluggish our economy is, the impact it is having on the middle class in this country. In fact, middle-class Americans are continually hit by continued bad news.

You start with the fact that since President Obama took office, average incomes have gone down almost $4,000. Added on top of that is the fact that fuel prices have literally doubled in that timeframe—now more than doubled. In fact, we hit, in the month of September—this month—the highest fuel prices ever for the month of September. That is a cost that is borne by middle-class Americans. One of the biggest costs, biggest expenses in their lives is dealing with getting their kids to and from school, getting to work, taking care of the day-to-day activities for which they are responsible. The cost of fuel is a very important pocketbook issue for middle-class Americans. Then you have news the Kaiser Foundation came out with that says health care premiums have gone up by 29 percent. That is despite all the assertions when ObamaCare was being debated that it would drive health care costs down. In fact, the President, as he campaigned for office 4 years ago, talked about bringing the premium for an average family down by $2,500. Well, the opposite has happened. According to the Kaiser Foundation, health insurance costs have gone up by 29 percent. Instead of coming down by $2,500 for the average family, they have gone up by over $3,000 for the average family. So whether it is health care costs, fuel costs, tuition costs, which, by the way, have gone up by 25 percent, or average incomes that have gone down, you see this worsening picture for average Americans. All of that will be dramatically complicated by what is going to happen on January 1 if we do not take action to avert that crisis.

What happens on January 1? As I mentioned, you have an across-the-board cut. It is across the board in the sense that everything gets hit, but not everything gets hit proportionately. Defense, as I said, gets 50 percent of the cuts although it represents only 20 percent of the budget. You are going to have all these cuts that take effect that hurt the national security budget and the jobs that go with that, but you also have taxes going up. Tax rates go up on January 1, which will absolutely devastate job creation in this country if they are allowed to take effect. In fact, the total amount of tax increases that will hit us on January 1, if Congress does not take action, over a 10-year period is about $5 trillion—about $5 trillion over a 10-year period in additional taxes.

Even if you say, as the President does, that you want taxes to go up just on people who make more than $200,000 a year or couples who make more than $250,000 a year, you are harming almost 1 million small businesses—the very people we are looking to to create the jobs to get the economy moving again—almost 1 million small businesses that file income tax returns. They are passthrough entities or flowthrough entities organized as subchapter S corporations or LLCs; therefore, they file their business income on their individual tax returns. And they would see their taxes go up—almost 1 million small businesses that represent 25 percent of the workforce, hire 25 percent of the workforce in this country. So that is a huge tax increase that is facing job creators in this country come January 1 of next year.

These are things on which the House, the Senate, and the President of the United States ought to be focused. Yet we are not getting that focus. In fact, it is hard to get even information from the President of the United States about how he would implement the sequestration proposal. We had passed legislation earlier this summer which he signed into law in August which required him to submit to the Congress a proposal for how he would implement sequestration. We finally, after a delay—he missed the deadline—received that last week, but, again, it lacks specificity, it lacks detail. Congress asked to have that on program, project specific areas, and we did not get that. So as a consequence, again, we are still operating without the information that is necessary to do something to replace that sequestration.

I have to say that the House of Representatives has attempted—they passed in their budget—in the subsequent reconciliation bill that went with it—a replacement for this sequestration so that we would not have this $½ trillion cut in our national security budget and all the attendant problems and risks that come with that. Yet that was not picked up, that was not acted on here in the Senate.

So, unfortunately, we are where we are, which is we are going into the election season now. We have not dealt with the across-the-board cuts, the sequestration. We have not dealt with the issue of taxes going up on January 1 on the people who create jobs in this country. For that reason, we have all

these analysts—independents analysts, government analysts—concluding the same thing; that is, we are headed for a train wreck. That is what we ought to be focused on right now.

Frankly, that is not going to happen unless we get some leadership from the President of the United States. We have to have the President engaged, involved in these discussions if we are going to try to solve this problem. I would hope the leadership here in the Senate would be a partner to that as well. I know there are Republicans here who have tried to get votes on ways to replace the sequestration or come up with a substitute for the defense cuts that it includes. We have tried and actually gotten some votes on actually extending the tax rates at the end of the year, but that was voted down here. But the Democratic leadership in the Senate has to be a party to discussions, as does the President of the United States, in order for us to do what is necessary to avert what we know is going to be a calamity come January 1 unless we change course.

As we begin to conclude this particular session of the Senate—I see that my colleague, the Senator from Wyoming, Mr. BARRASSO, who is a physician, a doctor, is here. I know he has spoken at great length about the impact of many of the policies that are coming out of Washington on our small businesses, on our middle class, and I certainly would want to give him an opportunity to make some observations about that as well. But I want to conclude by saying I hope that before this catastrophe hits us, we have the foresight and the willingness and the courage to take on these big issues. You cannot solve big issues in this city without leadership. It is going to take leadership from the President of the United States. It is going to take leadership in the Senate. As I stand here today, we have not seen that. We have not passed a budget in 3 years. We have not dealt with any of the long-term problems that are posed and raised by the fiscal cliff that hits us on January 1 of next year. I hope that changes. I hope to see that leadership. And I hope we can get this country back on track.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I would like to associate myself with the remarks of the Senator from South Dakota, who speaks so eloquently on the major issues facing our Nation, the concerns of people all around the country: their quality of life, the cost of energy, the cost of their health care, the impact of government regulations and rules that make it harder and more expensive for small businesses to add workers to their rolls.

A SECOND OPINION

I come to the floor today as a physician, a doctor who has practiced medicine in Wyoming, taking care of families there for about a quarter of a century, to do as I have done week after week since the health care law was passed: to give a doctor's second opinion about the health care law because one of the reasons I got involved in politics was, as a doctor, I have concern for my patients, worried that they were not getting the care they need from the doctor they want at a lower cost, realizing the impacts of costs on the availability of care, the quality of care. So when the health care law was passed, I had great concerns because I felt it was going to end up being bad for patients, bad for the providers—the nurses and doctors who take care of those patients—and terrible for the American taxpayer.

It was interesting that during the discussion of the health care law, NANCY PELOSI, the then-Speaker of the House, said that in terms of the health care law, first you had to pass it before you got to find out what is in it. Well, the law has been passed, and as more and more people are finally finding out what is in it, the law continues to be very unpopular. But it is interesting that when a law is written behind closed doors, passed in the dark of night, when people on the side who voted for it actually never read it, did not understand the implications, that here we are 2 years later with so many people still saying: What is in it?

One of the things I want to visit about today is an editorial in the New York Times from just a couple of weeks ago. It was while I was traveling around the State of Wyoming, visiting with people, visiting with former patients, that an editorial came out with the headline ''A Glitch in Health Care Reform.''

Well, for 2 years I have been coming back to the Senate floor, week after week after week, talking about things that were in this health care law—unintended consequences, things people did not realize were there, did not understand were there, were surprised to find out were there.

So the headline is ''A Glitch in Health Care Reform.'' Right under that, the subheadline is ''Millions of middle-class Americans could be left without affordable coverage.'' And then my favorite line, the first line, the first paragraph:

> Confusing language in the health care reform law has raised the possibility that millions of Americans living on modest incomes may be unable to afford their employers' family policies and yet fail to qualify for government subsidies to buy their own insurance.

Confusing language. That is what happens when a law is written behind closed doors, not read by the people who voted for it, and the Speaker of the House of Representatives of the United States of America says: First, you have to pass it before you get to find out what is in it. And this is an editorial in the New York Times 2 years after the health care bill has been signed into law: Confusing language. ''A glitch in health care reform. Millions of middle-class Americans could be left without coverage.''

So it is not a surprise that I will continue to come to the floor with a doctor's second opinion because we will continue to find where confusing language leaves people confused.

Now, one of the areas that is so often discussed on the Senate floor is the Congressional Budget Office. Well, they came out today with a new report. It talks about the health care law. No surprise. They said they got it wrong a couple of years ago. They have relooked at the numbers. This is the Congressional Budget Office that is supposed to be an expert on making some assumptions and making some suggestions and some predictions. Today they came out with a report called ''Payments of Penalties for Being Uninsured Under the Patient Protection and Affordable Care Act.''

Now, let's go back. Payments of penalties for being uninsured. Well, this is a health care law that reaches into every home in America and says: You must buy a government-approved product. You must have health insurance. Not enough money to pay for doctors to care for patients but plenty of money for IRS agents to investigate the American people.

What does it say when we go through the report? They said, well, they thought there would be about 4 million people who would have to pay penalties for being uninsured under the health care law. Well, they were only wrong, they say, by 50 percent. They were off by 50 percent; not 4 million but 6 million Americans will be penalized and have to pay taxes under the health care law which the Supreme Court found to be constitutional.

Well, it may not be unconstitutional, but it is still unworkable, very unaffordable, and very unpopular. So I come to the floor week after week as new reports continue to come out saying CBO was wrong. The New York Times, talking about ''confusing language.''

You know, I would say James Madison, the father of the Constitution, had it right when he said:

> You should pass no laws so voluminous they cannot be read, so incoherent they cannot be understood.

But that is what Democrats in the House and the Senate did when they passed and when the President signed the health care law.

Now, another report has just come out within the last couple of days. I recall the President, when he was talking about the health care law, said computerizing medical records would cut waste and eliminate redtape. Now what does the report say? Well, it says the amount of paperwork, the amount of manhours put into just complying with the rules and the regulations they have come up with—they are predicting—and I will get into those who have done the predictions—that businesses and families will end up spending 80 million—80 million—hours a year on paperwork trying to comply with this health care law.

Former Internal Revenue Service Commissioner Fred Goldberg said the current form of the Obama health care law ''will be a needless administrative and compliance quagmire for millions of Americans.'' The Ways and Means Committee in the House of Representatives under committee chairman DAVID CAMP found that more than half of those 80 million manhours will be consumed by small businesses. That is the group that can least afford to have to spend this kind of time, this kind of manpower. Talk about productive work and nonproductive work, this goes into the category of nonproductive work. So they are either going to hire more people to just do paperwork or take people from doing productive work and move them onto the nonproductive side.

They are talking about 40,000 full-time people working the number of hours they would work to get this 80 million manhours of work. It is wasteful. It creates no wealth overall to the economy. It is not a productive activity. So those are the things we see week after week.

Then, finally, last week there was a group of franchise owners who were traveling around visiting with Members on Capitol Hill about the impact of the health care law on them and on their small businesses. They want to hire people. They want to get people to work. We know under the President's economy, there are 23 million Americans who are either unemployed or underemployed, people looking for work, looking for better work, looking for more hours.

But let's look at the incentives as well as the consequences that are included in the health care law. Well, these small franchise owners will tell you that in order to try to comply with the law and not be driven out of business because of the expense of the penalties and the high level of insurance they would have to provide to their workers, they only have a couple of choices.

One of the choices—they do not like it, but one of the choices is to cut the number of hours an employee works because then they are a part-time employee. Then they do not have to receive the benefits of the mandate, of the health care law. That is not what they want to do. It is not what the employees want. They want to work more hours. But the consequences of what the Democrats in this institution have passed, the consequences are that people who want to work more are going to lose that opportunity.

The other thing they are looking at is saying, well, just drop paying for insurance at all and pay the fine. Pay the penalty because the consequences and the incentives are such that the fine is, from a business standpoint, the path to follow rather than to provide the high level of insurance the President mandates. It may be a lot more insurance than people want or need or that the businesses can afford.

So I will continue to come back to the floor to talk about the President's broken promises. He said: If you like what you have, you can keep it. We now know people who like their health insurance are not going to be able to keep it. He said the insurance rates would drop by about $2,500 per family per year. We have seen the rates have gone up more than $3,000 a year instead of dropping $2,500 a year.

The promises are many. The realities are quite different than what the President has promised. That is why the American people continue to find the health care law unpopular. It is why our seniors who have seen 700 billion of their Medicare dollars taken away from them, not to save Medicare but to start a whole other government program for others, that is why they know it is going to be harder to find a physician to take care of them, especially if their physician retires or if they move to a new location.

That is why I will continue to come back to the floor to continue to talk about trying to help people get the care they need from the doctor they choose at a lower cost. This health care law is bad for patients. It is bad for providers, nurses, and doctors who take care of those patients. It is terrible for the American taxpayers. That is why I believe we need to repeal and replace this broken health care law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

THE RYAN BUDGET

Mrs. MURRAY. Mr. President, I come to the floor this afternoon to talk about the upside-down values and blatant dishonesty that Congressman PAUL RYAN and other Republicans have put down on paper and are trying to present to the American people as their responsible budget. The truth is it is anything but. The Ryan budget would be devastating for middle-class families. It would gut our investments in education and job training, research, and our Nation's future. It would do all of that while cutting taxes for the richest Americans and biggest corporations.

Now, if that is not bad enough, it gets even worse. The Ryan Republican budget would permanently cut tax rates for the wealthiest Americans to the lowest level in more than 80 years—more than 80 years. It would cut taxes for the rich below the scheduled top rate of 39.6 percent, below the Bush tax cut rate of 35 percent, all the way down to just 25 percent if you are a millionaire or billionaire. But even that is not all.

What PAUL RYAN and the Republicans do not want people to know is their budget does not even add up. It is fiscal fraud. It is a bait-and-switch. It is a desperate attempt to pull the wool over the eyes of the American people. Ryan and the Republicans claim they would pay for their massive tax cuts for the rich by ''closing loopholes and ending deductions.'' But they never say which loopholes they would close or which deductions they would eliminate.

In fact, they have been pressed over and over to lay out their plan by the media, by the public, by Democrats. And they refuse. It is just a big secret. This past weekend, both Governor Romney and Representative RYAN were asked again and again to offer even one deduction they would limit. Pick one. Any one. They were asked that so the American people could judge their plan. Both refused. It begs the simple question: What are they hiding?

Well, a former Reagan adviser, Bruce Bartlett, slammed Ryan's budget in the Fiscal Times writing: ''He offers only the sugar of rate reductions without telling us what the medicine of base broadening will be. . . . ''

He says:

> Any tax reform plan that simply asserts it will collect a certain percentage of GDP in revenue while specifying the rate structure but not defining the tax base is fundamentally dishonest, in my opinion.

Well, I agree. Why is this? Why are Ryan and the Republicans so specific about the taxes they are going to cut for the rich and so vague about how that is going to be paid for? Well, Ryan and the Republicans know when we do the math it becomes very clear that under their Republican budget the rich pay less and the middle class pay more and the national debt continues to grow. The math does not add up.

Here is why, here is what the Republicans do not want the American people to think about: The most expensive loopholes and deductions, the ones Republicans would need to eliminate to even start paying for these cuts for the rich, those are the ones that middle-class families depend on and the ones they benefit from the most, such as the personal and dependent exemptions, deductions for their home mortgages, charitable contributions, State and local taxes, child tax credit, college tuition credit.

If these deductions are eliminated while tax rates are slashed for the rich, it would mean a massive transfer of the tax burden onto the backs of our middle class. The richest Americans get a massive tax cut—an average of over $250,000 a year for someone who makes $1 million a year, according to an analysis by the Tax Policy Center—but the middle class, those families who depend on those critical deductions such as the home mortgage deduction, end up paying more. They would benefit far less from the marginal rate cut than the extra they would pay after losing those deductions.

If that sounds unbelievable, that is because it is. If that sounds like something no elected official would ever want to talk about doing, well, that is exactly right. So what Ryan and the Republicans do when they are asked is simply deny it. They simply say: Oh, that is not the case. They claim that loopholes and deductions will only be eliminated for the rich, and the middle class does not have to worry about anything.

Well, that sounds nice, but here is what they will not tell the American

people: It does not add up. The Tax Policy Center took a look at a plan that made a similar claim. Even viewing it in the most generous way, they could not get it to work. They said:

> Even when we assume that tax breaks—like the charitable deduction, mortgage interest deduction, and the exclusion for health insurance—are completely eliminated for higher-income households first, and only then reduced as necessary for other households to achieve overall revenue-neutrality—the net effect of the plan would be a tax cut for high-income households coupled with a tax increase for middle-income households.

That last point is very important. According to independent analysts, if you cut rates for the rich as much as the Republicans want, and pay for it by closing loopholes and ending deductions, there is no way to avoid having the middle class pay more. That is a fiscal reality. It lays bare the fraud in the Ryan Republican budget.

Not only does the Ryan Republican budget decimate programs middle-class families depend on, not only does it end Medicare as we know it and push health care costs onto the backs of our seniors, not only does it cut investment in jobs, in education, in training, in research, in innovation, in roads and bridges, it does not even add up. It is a fiscal fraud. I am hoping, now that the American people have the opportunity to see this clearly, Republicans will stop playing games. Let us get serious about the fiscal future of our country and work with us on a balanced approach to cut spending responsibly, call on the wealthy to pay their fair share and actually reduce the deficit and the debt. As soon as they are ready to do that, as soon as they are ready to accept reality and end this fiscal fraud, I know Democrats are ready to make the kind of balanced and bipartisan deal the American people expect and deserve.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, we are trying to work through all the issues we have. There are a few of them—not too many but a few. But I want everyone to know we can finish all of our work tomorrow. We can finish it all tomorrow, but we are not going anyplace. We are staying here until Tuesday, probably 3 or 3:30, because we have Yom Kippur on Wednesday, and then we will be right back here on Thursday. We have to finish our work.

So that means if we can't work things out, we are going to be here Friday, Saturday, and Sunday. I know we talk about this once in a while, and usually we are able to work things out, and I am glad we are. But just in case we can't, no one should think they are going to be able to catch an airplane out of here on Friday.

UNANIMOUS CONSENT REQUEST—S. 3525

Mr. President, I will be very quick. I know the assistant leader for the minority is here and I don't want to take a lot of his time.

The Senator from Montana, Mr. TESTER, has assembled a broad package of legislation. It is bipartisan in nature, and that is an understatement, to support the needs of sportsmen throughout the country. He has worked with these groups, and I have been in meetings with him where he has tried to get Democratic Senators to back off and let this package go forward, and there have been adjustments made because of problems Republicans had and Democrats had. So I appreciate very much his work.

What his bill does is to combine about 20 bills that are important to the sportsmen community around this country. These measures would promote hunting, fishing and recreational access and they would foster habitat conservation through voluntary programs. More than 50 national groups support this. These are sportsmen and conservation groups.

This is an example of leadership that is important in this body, to work on things that bring together a disparate group of bills, bipartisan in nature, and try to move forward. We ought to pass this package today.

I ask unanimous consent that the Senate proceed to Calendar No. 504, S. 3525, the Sportsmen's Act of 2012; that the bill be read a third time and passed; the motion to reconsider be laid upon the table, with no intervening action or debate; and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I had asked the distinguished majority leader if I requested an amendment to his request to add a piece of legislation that he and I both support whether he would have to object to that, and I am presuming his answer is he would have to object. As a result, rather than doing that and forcing him to object, I will simply pose my objection at this time.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. TESTER. Mr. President, I rise to discuss the Sportsmen's Act. The Sportsmen's Act is a good piece of legislation. It is a piece of legislation where, quite frankly, it would be one of the few times in this body Democrats and Republicans could come together and actually do something that is good for this country and not play politics with it.

The outdoor traditions in this country are deep and are an important part of our heritage. That is why 2 years ago, when I became chair of the Sportsmen's Caucus, I made it a goal to do something, something significant, that would help this country's hunters and anglers.

This week we have an opportunity to play politics as usual or to get something done. This Sportsmen's Act is the biggest package of sportsmen's bills in a generation. It combines, as the majority leader said, nearly 20 different bills—all important to the sportsmen community.

These bills increase access for recreational hunting and fishing. They support land and species conservation. They protect our hunting and fishing rights. Most important, they take ideas from both sides of the political aisle. It is not about Democrats. This bill isn't about Republicans or Independents. This bill is about Americans and the great outdoors we all share as a nation.

This bipartisan bill is supported by 56 different conservation and wildlife groups, ranging from the Nature Conservancy and the National Wildlife Federation to the NRA. It earned their endorsement because it includes a wide range of responsible provisions that are important to sportsmen and women across America.

In my role as chairman of the Congressional Sportsmen's Caucus, sportsmen continually tell me about the importance of access to public lands. Right now there are 35 million acres of public land that sportsmen cannot access. That is why this bill requires 1.5 percent of the annual funding of the Land and Water Conservation Fund set-asides to increase public land access, ensuring sportsmen across the country access to some of the best places to hunt and fish in this country.

This bill also reauthorizes the North American Wetlands Conservation Act. This voluntary initiative provides matching grants to landowners who set aside critical habitat for migratory birds such as ducks. Over the last 20 years, volunteers across America have completed more than 2,000 conservation projects and protected more than 26 million acres of habitat under this successful initiative. The North American Wetlands Conservation Act is a smart investment in both our lands and our wildlife, and it needs to be reauthorized, as this bill does.

My widely supported bill authorizes the Secretary of the Interior to reevaluate the price of duck stamps to keep up with inflation. Revenue from these duck stamps has been used to purchase or lease more than 6 million acres of wetlands and preserve a viable waterfowl population. This bill also funds new shooting ranges while encouraging Federal land agencies to cooperate with State and local authorities to maintain existing ranges.

This is a responsible bill that takes into account the needs of the entire sportsmen community. Some folks around Washington are asking: Why is this important? But hunting and fishing is a way of life in places such as Montana. One in three Montanans hunt

big game, and over 50 percent of Montanans fish. Outdoor recreation contributed $646 billion in direct spending to the economy in this country just last year. Hunting and fishing is not just recreation, it is a critical part of our economy.

In Montana, hunting and fishing brings $1 billion a year to our economy, nearly as much as our State's cattle industry. It is big business. It drives and sustains jobs. With bow hunting season open and rifle hunting season opening in just a few days, this bill is as timely as ever.

The Sportsmen's Act of 2012 is balanced, it is bipartisan, and it is widely supported. It is also fiscally responsible. The bill has no cost.

I have been chairman of the Congressional Sportsmen's Caucus for 2 years. In that time I have had folks from all over the country telling me why they love to hunt and fish. They have also told me how outdoor activities support our economy and create new jobs while sustaining old ones. But they have also told me about how much their outdoor heritage means to their families and about how concerned they are about losing those traditions.

Frankly, they have told me about how frustrated they are with Washington and how too many good ideas—ideas from both parties—get left behind because of political gridlock right here. By approving this sportsmen's package, we will conserve some of our most productive habitat, pass on our hunting and fishing traditions to future generations, and entrust the lands and water we share to them.

Sportsmen from across the West have been waiting for a bill such as this for a generation—a bill with widespread support that preserves our outdoor economy and secures our outdoor heritage for our children and grandchildren. I know it is getting close to election season, but we have time left.

The time we are working on is the taxpayers' dime, and I think we ought to get something done. Let's take some good Democratic ideas and some good Republican ideas and pass them. Let's actually do something for the 90 million sportsmen and women who reside in this country and build our economy. Now is the time.

We have an opportunity to take a bill that does good things for this country across the board that, quite frankly, if a vote was held on this bill today, I am confident would pass with a large bipartisan majority. But as long as we are going to play political games and as long as we are going to hold up legislation, we will never get to the point where we can do what is right by the American people.

I urge we get to work and get it done.

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

The PRESIDING OFFICER (Mr. WHITEHOUSE). The clerk will call the roll.

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

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

Ms. COLLINS. Mr. President, earlier today I voted against invoking cloture on the motion to proceed to a 6-month spending bill, a stopgap measure, and I wish to explain to my colleagues and my constituents why I voted that way.

I am deeply disappointed that the Senate has been unable to complete the annual appropriations bills on time before the start of the new fiscal year. This is a failure that only reinforces the public's perception of gridlock in Washington. It is not as if the start of a fiscal year is a surprise to Members of this body. It happens every year on October 1. We know the spending authority is going to run out and we know one of the most important responsibilities of the Congress is to pass the appropriations bills.

While the House of Representatives has managed to pass 7 of the 12 annual spending bills, the Senate majority leader regrettably has not brought a single regular appropriations bill to the Senate floor for consideration.

It is important to note that the Senate Appropriations Committee did its job. Thanks to the leadership of Chairman INOUYE and Vice Chairman COCHRAN, we have reported 11 of the 12 appropriations bills, in many cases with strong bipartisan support. For example, as the ranking member of the Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, I worked very closely with the subcommittee's chairman, Senator PATTY MURRAY, to craft a truly bipartisan bill for fiscal year 2013. The T–HUD bill strikes a balance between thoughtful investment and fiscal restraint. In fact, this bill honors an allocation that is nearly $14.5 billion or 22 percent less than fiscal year 2010 levels. These deep cuts reflect an even deeper commitment to getting our fiscal house in order.

I am proud of the work Senator MURRAY and I did on this bill and the strong bipartisan vote of 28 to 1 this bill received from the Appropriations Committee this past April. Like our bill, the Agriculture appropriations bill, the Commerce, Justice, and Science bill, the Department of Defense bill, Energy and Water, Homeland Security, Legislative Branch, Military Construction and Veterans Affairs, and the State Department and Foreign Operations bills were all reported from the Appropriations Committee on a bipartisan basis.

In putting together all of these bills, the Appropriations Committee functioned the way committees are supposed to function. We worked together to develop thoughtful and fiscally responsible bills that could be brought to the full Senate for consideration, debate, amendment, and, most likely, passage. But, instead, not a single one of those bills—not even those bills for which the counterpart had been passed by the full House—was brought to the Senate floor.

I am very disappointed that House and Senate leaders have announced that rather than consider and complete these appropriations bills, they would instead kick the can down the road by passing a 6-month stopgap funding bill. The House has done just that and will soon leave town.

With 2 weeks left in the fiscal year, it is still not too late. There is no reason why the individual spending bills could not be brought to the Senate floor, allowing Senators to offer amendments and letting the Senate work its will on this important constitutional responsibility. Given the state of our Nation's economy and the need to ensure that tax dollars are wisely and appropriately spent, it is simply unacceptable that we would agree to put our government on autopilot for the next 6 months rather than working together to establish priorities, make the tough choices to evaluate programs, and to restrain spending.

Long-term continuing resolutions such as the one we are about to consider represent an abdication of our responsibility and often end up with government departments and agencies, particularly the Department of Defense, incurring additional costs due to delays and uncertainty. Think how difficult it is for Federal managers to decide whether they can enter into long-term contracts to consider changes in programs, to manage the dollars they have, when they don't know what is going to happen 6 months from now. In some cases we do even shorter continuing resolutions that create chaos and additional costs throughout the Federal Government.

As our Nation struggles to recover and to regain its economic footing, we must provide more certainty by completing appropriations bills on time. I am extremely disappointed this did not occur for fiscal year 2013 and, therefore, I will continue to oppose the continuing resolution to protest what I believe is a failure of leadership.

Let me be clear: I do not support a government shutdown, but it is unacceptable that not a single one of the regular appropriations bills has been brought to the Senate floor for consideration. Indeed, it has been more than 3 years since the Senate has passed a budget. This is simply wrong. We must do our work. The American people deserve better.

CYBER SECURITY

Ms. LANDRIEU. Mr. President, I rise as chairman of the Homeland Security Appropriations Subcommittee to engage with the ranking member of the subcommittee to clarify some apparent confusion on the continuing resolution provision regarding cyber security.

The language in section 137 of this continuing resolution regarding cyber security is explicit and clear. The phrase that is apparently in question refers solely to improvements in the Federal Network Security program.

Federal Network Security is a limited program that provides security

systems on Federal government networks.

No funds or language expand any Department of Homeland Security authorities.

And, none of the funds or language in section 137 have anything to do with regulation of private sector infrastructure, and we have confirmed that in writing with the Department of Homeland Security.

Without this provision, the program will be suspended due to lack of available funding and the monitoring of Federal civilian networks will be delayed by as much as 6 months, leaving them vulnerable to infiltration and subsequent breach—and that is all we are trying to prevent with this provision.

Federal systems are increasingly targeted by individuals, sophisticated criminal organizations, and nation states that desire to do us harm. There were 106,000 cyber security incidents on Federal and other systems reported in 2011. We should not postpone critical investments to secure Federal systems.

I should also add that this provision is an abbreviated version of what is contained in both of the House-passed and Senate-reported Fiscal Year 2013 Department of Homeland Security Appropriations bills—something our Committees have been working on all year.

I will now yield to the subcommittee's distinguished ranking member, who I believe agrees with this clarification.

Mr. COATS. I concur with the clarification of my distinguished colleague from Louisiana on the continuing resolution funding and language regarding cyber security.

I strongly support the inclusion of this provision and see it as essential, but also limited in scope to only the securing of our vulnerable Federal civilian networks.

There is clearly disagreement about the best way to address cyber security more broadly, but that is a completely separate issue from the provision in this continuing resolution.

As a result, I want to make it very clear to my colleagues that this provision does not intrude upon the authorizers' jurisdiction, enable a new Executive order on cyber security, or fund new actions to regulate private sector infrastructure in any way.

Again, I thank the Chairman for yielding to me on this issue, and I yield the floor.

Ms. LANDRIEU. I thank the ranking member for his concurrence. I concur with his remarks.

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.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. 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. JOHANNS. I ask unanimous consent to speak for 5 minutes as in morning business.

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

RECOGNIZING NEBRASKA HEROES

Mr. JOHANNS. Mr. President, I am here today to recognize two incredible heroes from Blue Hill, NE, for their courageous actions amidst a terrible tragedy.

On September 5, an accident between a schoolbus and a semitrailer claimed the lives of four members of this close-knit farming community in Webster County, NE. My thoughts and my prayers continue to be with the victims, their loved ones, and the entire Blue Hill community during this very tragic time.

But through the sorrow of this terrible tragedy, a story has emerged that truly epitomizes the word ''hero.'' As one Nebraska newspaper said:

> By the grace of God, not all of the kids riding the bus home from school [have been] buried. But their fates could have been much different, if not for two guardian angels.

There were five other students riding the bus on that day who, because of the selfless actions of two brave men, are still alive today. Ron Meyer and Phil Petr arrived on this horrific scene just moments after the crash. Immediately, the two bravely ran onto the burning bus, risking their own lives to save the lives of others. They swiftly and courageously pulled five children to safety. A nearby rancher who witnessed their actions said he is sure the five survivors would have encountered a much different fate had Ron and Phil not been there that day. They are guardian angels whose heroic actions will never be forgotten.

There were other heroes who arrived on the scene and acted quickly to provide care—first responders who also deserve to be commended. First responders risk their lives to save others each and every day, just as our gratitude to them should be expressed throughout the year. But special recognition is owed to average citizens who happen upon horrific scenes and take heroic action.

Although Ron and Phil would never ask for it, many in this community have called for their heroism to be recognized and to be honored, and I could not agree more. Their willingness to risk their own lives to save others serves as a source of inspiration for all of us.

I am honored to call them my fellow Nebraskans, and I want to personally thank them. I thank them for their courage and their selflessness.

Acknowledging their heroism in no way lifts the grief and the sorrow that gripped the community and our State after this crash.

I pray that God brings peace and healing to all those who have been affected. But because of Ron and Phil, my prayer is also a prayer of gratitude.

I thank God for these heroes. I know that no recognition can adequately convey the gratitude felt by the families of the five children whom they saved from that burning bus.

Mr. President, I stand before you today on behalf of the Blue Hill community and all of my fellow Nebraskans to offer my deepest appreciation to Ron Meyer and Phil Petr.

May God bless them and God bless all those affected by this terrible crash.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, we are trying to work through and finish all the issues we need to address before we can finish this work period. I wish to make it very clear to everyone, as I said a couple hours ago on the floor, that we can finish all our work tomorrow. But if we don't finish it tomorrow, we are going to continue to work on Friday, Saturday, Sunday, Monday, and Tuesday, until late in the afternoon.

We have to get done a few things that are important. I know there are a lot of things we aren't going to be able to do, but that has been the way it has been all Congress. I am prepared now to ask consent to move along on one very significant part of what we need to do. The consent I will read into the RECORD in just in a short time addresses voting on a continuing resolution we need to keep the government running. It addresses votes on very different concerns of others who have sought to hold up consideration on the continuing resolution. I believe, with this consent, we have gone that extra mile.

The junior Senator from Kentucky, Mr. PAUL, has been said to be holding up everything. We have two American Ambassadors, one to Iraq and one to Pakistan, and one would think we should be able to get this done. We have had something extremely important sponsored by, I think, 81 Senators, a containment resolution relating to Iran. So without belaboring the point, I have worked things out with Senator PAUL, and we are going to have a vote on something he has wanted a vote on for a long time. We can do that.

I explained to a few Republicans earlier today—in fact, some last night—that I was working with Senator PAUL and I think we have done that. He has been reasonable, and even though ideologically I sometimes disagree with him, I have always found him to be someone I can talk to. So I will be terribly disappointed if this person, whom it has been said by the Republicans appears to be holding up everything, now isn't holding up everything and that the Republicans, if there is an objection to this, are just hiding behind him because there is no reason we shouldn't

be able to move forward with this legislation.

UNANIMOUS CONSENT REQUEST—S. 3576, S.J. RES. 41, AND H.J. RES. 117

Mr. President, I ask unanimous consent that notwithstanding cloture having been invoked, at a time to be determined by me, after consultation with Senator MCCONNELL, it be in order and the Senate proceed to the consideration of S. 3576, which is the legislation I have just referred to by Senator PAUL, the text of which is at the desk; that there be up to 60 minutes of debate, equally divided between Senators PAUL and KERRY or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the bill; that the vote on passage be subject to a 60-vote affirmative threshold; that if the bill does not achieve 60 affirmative votes, it be considered as having been read twice, placed on the calendar; that following the vote on passage of that legislation, S. 3576, the Senate proceed to the consideration of Calendar No. 418, S.J. Res. 41; that there be up to 60 minutes of debate equally divided between Senators KERRY and PAUL or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the joint resolution; that if the joint resolution is not passed, it be returned to the calendar; that following the vote on the joint resolution, the Senate resume consideration of H.J. Res. 117, the continuing resolution; that the motion to proceed be agreed to, there be up to 60 minutes of debate, equally divided between the two leaders or their designees prior to a vote on passage of the joint resolution; that the vote on passage be subject to a 60-vote affirmative threshold; that following the vote, the majority leader be recognized; and, finally, that no amendments, motions or points of order be in order during the consideration of these measures.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I appreciate the majority leader's attempt to put several of these items together. I would note that our side has only had a little over an hour to try to work this through our membership. I know there is one objection that I will need to interpose, but I would encourage the majority leader to meet with Senator MCCONNELL when he is available so they can continue to work on this as a potential way to proceed. But at this time, on behalf of Senator JOHN MCCAIN, I will interpose an objection.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, to everyone within the sound of my voice, I say again, we shouldn't be surprised. Even though there had been all this focus on Senator PAUL, that he was holding up everything, that is not the way it is. He is not holding up everything. It is the Republicans.

All this has been cleared on my side. It is unfortunate. We will continue to work to reach an agreement. We need to move this vote on the CR. Unless we have some agreement, it is going to occur at 8:45 tomorrow night, which is when the 30 hours expires. So I think we need to continue to see if we can work our way through the logjam the Republicans have put up here.

If nothing happens, we will be out of here in a little bit tonight and proceed to vote tomorrow night. But RAND PAUL is not holding up things, as has been rumored around here for weeks.

UNANIMOUS CONSENT REQUEST—H.R. 8 AND S. 3412

Mr. President, on July 25, the Senate conducted two important votes on dealing with the so-called fiscal cliff. That day the Senate voted on extension of the tax cuts enacted in 2001, 2003, and 2009. Democrats, and a majority of the Senate, voted to extend tax cuts for 98 percent of American families while at the same time reducing the deficit by $1 trillion over 10 years. Republicans, on the other hand, insisted on a vote on their plan—a plan that provided tax breaks averaging $160,000 for millionaires at the same time it increased taxes by $1,000 for 25 million American middle-class families. On July 25, we held votes on those two plans. The Senate voted down the Republican plan on a bipartisan basis by a vote of 45 to 54. The Senate passed the Democrats' plan by a vote of 51 to 48.

Since then, the House of Representatives also voted on this matter and the House sent the Senate its revenue measure. Now that we have had the debate and the votes, it is time to go to conference with the House. The Senate has voted and so has the House. It is time for us to resolve our differences. We believe the tax extenders should not apply to people making more than $250,000 a year. We should extend them for people making less than $250,000 a year. So let's have a conference on this. This process would be important.

Unfortunately, I am sorry to say, my Republican friends often place roadblocks in the way of routine Senate business. This is simply routine. Just last week, Moody's said it would probably cut America's credit rating if congressional leaders couldn't reach an agreement to address the fiscal cliff and produce long-term deficit reduction. The bill the Senate passed in July is a big part of dealing with that fiscal cliff and the American people deserve their leaders to move to advance this legislation, and that is why I am going to ask the following consent, which is simply going to conference on a bill that has passed the House and a bill that has passed the Senate.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 502, H.R. 8; that all after the enacting clause be stricken and the text of S. 3412, a bill extending the tax cuts I have referred to in 2001, 2003, and 2009 for 98 percent of Americans and 97 percent of all small businesses, which passed the Senate on July 25, be inserted in lieu thereof; that the bill, as amended, be read a third time and passed; the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the chair be authorized to appoint conferees on the part of the Senate, consisting of the membership of the Finance Committee; with all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I ask unanimous consent the agreement be modified so that rather than amending H.R. 8, that bill—namely H.R. 8—would be considered read a third time and passed. This request would let that bill go directly to the President's desk.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. REID. Mr. President, I hope the RECORD can pick up the smile on my face. Why in the world—when the Senate has already acted, with a majority of the Senate saying we do not believe there should be taxes extended to the rich; that we believe in protecting the middle class—would we agree to extending all these tax cuts? We can't do that. That was a bipartisan vote set out in the Senate. That was the Senate's position.

We are asking simply to go to conference on the Senate's position. The other side is insisting the minority position prevail. That is an unusual situation and that is not the way democracy in America works. So I would not accept his modification to my request.

The PRESIDING OFFICER. Is there objection to the Senator's original request?

The Senator from Arizona.

Mr. MCCAIN. Reserving the right to object, the unanimous consent request of the majority leader is that we have 60 minutes, equally divided, in a vote on the Rand amendment. Is that part of the unanimous consent?

Mr. REID. It would be 60 minutes on the amendment, equally divided between Senator KERRY and Senator PAUL. If the Senator wants more time, and we are not doing much now, we could have more time.

Mr. MCCAIN. I would hope the majority leader would have some understanding that we are talking about cutting off aid to several countries that are allies which could have an incredible effect on the entire Middle East. The majority leader wants to have 60 minutes, equally divided, on a measure that, if passed, would have the most Draconian effects on the entire Middle East, a part of the world that is in turmoil now. The majority leader wants to have 60 minutes, equally divided, and with no amendments, obviously, as it is the majority leader's practice not to allow any amendments. I may want to have a side-by-side. This is an issue of the utmost gravity and the utmost importance and the majority leader wants to have an hour, equally divided.

It is absolutely mind-boggling, and I think if we are going to cut off all aid to several of our allies, including the Camp David agreements which call for aid to Egypt, including an ally in the region called Libya where we just lost our brave Ambassador—and the majority leader wants to have 60 minutes equally divided and with no one allowed to have any amendments, second degree, side-by-side, and then says Republicans are at fault?

I say to the majority leader, I have watched this Senate deteriorate in a way that is almost spectacular. Here we are on the day before the majority leader wants us to go out of session, and we are supposed to just have a vote on an amendment that has the most profound effect on this Nation's security, with 60 minutes equally divided.

I don't have a smile on my face, I tell the majority leader. I have a look of incredulous dismay and disgust.

Mr. REID. Mr. President, it would seem to me that the Senator's concern should be directed toward Senator PAUL, not me. It sounds to me he may vote against the Paul amendment from what I have heard. If he is that concerned about it, I think we should get it up, and if we want more time, we could have more time on it. But at this stage, no amendments would be called for, and I think we should vote on the Paul amendment.

I think it is pretty clear as to what has gone on this past Congress. When the Republican leader says his No. 1 issue is to make sure Obama doesn't get reelected, I think that probably is what has held up this Congress from doing all kinds of things.

Now, let me rewind. Since I have been the majority leader—which has been 6 years—we have had to try to overcome 380 Republican filibusters. This is two now. During the same period of time—6 years—that Lyndon Johnson was President—and he was majority leader before he became President—he had to file cloture once.

My friend from Arizona and I have served together now 30 years in the Congress. His agitation should not be directed toward me. They are the ones holding up hundreds of bills in the Energy Committee and basically everything we have tried to do because their No. 1 goal, if they follow their leader—and they have done a pretty good job doing that—has been to make sure the country is in such a shape that maybe they may get lucky and have Governor Romney elected.

So if there is going to be objection by the assistant majority leader, I understand that. But don't be blaming RAND PAUL for everything being held up.

Here is what we have held up, and I will mention it just briefly. Wouldn't it be nice if America had an ambassador to Iraq? Wouldn't it be nice if America had an ambassador to Pakistan? Wouldn't it be nice if a piece of legislation that has 81 cosponsors dealing with the Iran containment resolution, that we could vote on that?

So as I have indicated—and this will be the third time today—we have work to do—not a lot but we have work to do. One is to pass the continuing resolution, and we will do that. We can either do it the hard way or the easy way. As you know from the vote on the motion to proceed to that, there is overwhelming support for that. That is as bipartisan as anything could be. The Speaker and I worked on this with our staffs, and we came up with something I think is pretty fair. So we are going to pass that. If the Republicans want to stall on that like they have on everything else, they can do that. But we are going to finish this.

The American people need that done, and we are going to get it done. It may take a vote on Saturday, it may take one on Sunday, but we are going to finish the CR. So everybody should understand we are not going anyplace. My No. 1 place to go is the Senate. That is my life, the Senate. So I am going to be here and make sure that we do as much of the people's business as we can, in spite of their No. 1 goal being to defeat Obama rather than trying to legislate for the American people.

As I understand it, the request that I made has been objected to, and the request of the Senator from Arizona has been objected to; is that right?

The PRESIDING OFFICER. The majority leader's original request, H.R. 8, has not been objected to.

Mr. KYL. And the leader is right with regard to intentions. His intention was to object to my request; mine is to object to his request. That is correct.

Mr. REID. So we have dual objections.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

UNANIMOUS CONSENT REQUEST—
H.R. 9 AND S. 3521

Mr. REID. Mr. President, last month the Senate Finance Committee reported bipartisan legislation on what are called the tax extenders.

The Finance Committee tax extender legislation addresses a significant part of the so-called fiscal cliff. The Finance Committee bill would extend relief from the alternative minimum tax through 2013. It would extend tax incentives for renewable energy and energy conservation through 2013, and it would extend through 2013 the traditional extenders, among which are the R&D tax credit, the State and local sales tax deduction, and the tuition deduction.

The Finance Committee reported that bill with a strong bipartisan vote of 19 to 5. The bill cuts taxes by $205 billion. It cuts taxes by $143 billion in fiscal year 2013 alone. Passing this bill today would help remove some of the uncertainties surrounding tax policy. Passing this bill today would help our economy. Passing this bill is the least we should do now.

So I ask unanimous consent the Senate Finance Committee be discharged from further consideration of H.R. 9; that a Baucus amendment, which is at the desk, the text of which is identical to S. 3251, the Family and Business Tax Cut Certainty Act of 2012 as reported by the Finance Committee, be agreed to; that the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements related to the bill be placed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, it is our view that the extension of many provisions of the Tax Code, which is the subject of the leader's request, makes some sense if we extend all of the provisions of the Tax Code we can.

With that in mind, I ask that the consent be modified so that the text of House-passed bill H.R. 8 be added to the substitute referred to by the leader; further, that the bill then be read a third time and passed as amended.

Mr. REID. Mr. President, we have already reached that position. That is not how things work in a democracy or, I doubt, anyplace else. So I object to my friend's suggested modification.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. KYL. We would also then object to the original request.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. Mr. President, would the majority leader yield?

Mr. REID. Sure.

Mr. MCCAIN. Mr. President, I am not against the RAND PAUL amendment being voted on by the Senate. I do object to an hour equally divided. I object to the fact that we do not have either side-by-side or second-degree amendments, which is the normal parliamentary procedure.

Since the majority leader had to inject the ''No. 1 objective is defeat Barack Obama'' routine again, I would like to point out this is the least productive Congress since 1947; that for the first time in 51 years we are not taking up the Defense authorization bill; for the first time in 51 years, when we are fighting a war in Afghanistan, that we can't find the time in the Senate to take up the bill that is so important to the security of this Nation.

So the majority leader shouldn't be proud of his record, as he mentioned, including the fact that this Congress is the least productive since 1947. But most of all, in 50 years—in 50 years—we have not taken up the Defense authorization bill that we have taken up for 50 years because other majority leaders who set the calendar have understood its importance to the men and women who are serving in the military and our national security.

I again urge that instead of this back-and-forth and mutual objections and nothing getting done around here—I know and the majority leader knows we could take up the Defense authorization bill and get it done in a matter

of a few days, and we could have since June. But instead we do this back-and-forth, which makes us the least productive Congress since 1947, with an approval rating by the American people that deservedly is in the single digits.

So I repeat: I would be glad to enter into a unanimous consent agreement on the Rand amendment, although I would also tell the majority leader that we may now be establishing a precedent that one Senator can hold up the entire Senate until that Senator gets the vote he is demanding.

I could hold up the Senate and demand a vote on the National Defense Authorization Act, which was reported to this body in June. Senator KYL could hold this body hostage for a vote because of the various pieces of legislation they have. I am not doing that, but I am saying when we are looking at an issue as serious to this Nation's security as cutting off all aid in one fell swoop without even amending, or with an hour of discussion, I think it is almost incredible that we would consider such a parliamentary procedure when we are talking about what is at stake.

So I hope we can work out an agreement. I don't feel like staying here this weekend either, but I also have some concern about the safety and security of the men and women who are serving in our diplomatic corps overseas because if that amendment did pass, I guarantee you, you would see a reaction in these countries if we announce arbitrarily that we are cutting off all aid to them.

So I think we ought to understand the consequences of the Rand amendment, and it probably would take more than an hour equally divided.

I thank the majority leader for listening.

Mr. REID. Mr. President, to my friend—and he is my friend for whom I have admiration and respect—the senior Senator from Arizona makes my case. He is absolutely right. This is, I am sorry to say, the least productive Congress perhaps ever. Why? Because everything we have tried to do they have objected to. Everything.

Once in a while we are able to work together to get something done, but he has made my case for me, absolutely, because their No. 1 goal has been to defeat the President of the United States for reelection.

Now, we have had a lot of debates. Senator PAUL has been here many times talking about this issue. I have no lock on wisdom around here. There are a lot of people who have much more wisdom than I do. But I do have the obligation to try to move legislation along on things that we have to work on here. If people want more time on this, fine. I have worked with Senator PAUL. He has agreed to this. If there are some reasonable changes, I will agree to those. I am not locked in. But whoever wants to do this, I would suggest they go to Senator PAUL, not to me. I am happy to be a conduit to try to get something done that is reasonable and fair.

If an hour is too short, we haven't been doing much today, there is plenty of time to debate legislation. So I am happy to do that.

Mr. President, I understand the rules of the Senate fairly well. This is not the first time a Senator has held things up. I came here during the days of the Senator from Ohio, Howard Metzenbaum, and he was pretty good at slowing things down and holding things up. Jesse Helms was really good at it, and we have had a number of others.

So as I have said on the Senate floor, I think we should change some rules around here. I am not for getting rid of the filibuster. I don't want to get rid of the filibuster, but we need to change the filibuster rule. Why should we have, on every piece of legislation, a motion to proceed? It takes the Senate a week to get on a bill when a single Senator objects to it. That doesn't sound very good to me.

I hope with a new Congress we can change some of the rules around here. But I am happy to work with my friend from Arizona. I know he is someone who travels the world. He has been in the forefront of changes that have taken place in this world. I understand his concern about this legislation.

If he has something else he thinks might work better than this, talk to Senator PAUL. I am always reachable, any time of the night or day.

Mr. KYL. Mr. President, might I make a response to the leader?

Mr. MCCAIN. I believe it is not Senator PAUL who sets the parameters for how many hours of debate and amendments and others; I believe it is the majority leader. Could I talk to the majority leader about how long the debate should be or whether we can have amendments? That is all I am saying.

Mr. REID. I will say this so it will save a lot of trouble for anybody. We are not going to have amendments to this. Amendment days are over. We have been blindsided many times on amendments.

I will be happy if my friend can come up with something that will allow maybe a side-by-side or something. I will be happy to do that. I am open to negotiations in any way that is reasonable. If someone does not want to contact RAND PAUL, I will—if somebody feels awkward doing that, I do not. I feel totally free to talk to any Senator about anything. That is why I reached out to RAND PAUL.

Mr. KYL. Mr. President, if I might continue, I think the point is this unanimous consent was made before everyone had been fully consulted. I appreciate the leader is trying to move things along, but it does illustrate the proposition that everyone needs to be consulted so the question of time and potential other considerations could be dealt with. I suspect, through the leader's good offices, that will be done this evening and tomorrow morning. Perhaps something can be worked out, as I said when I interposed my objection.

But one point I wanted to make is this. The objection I interposed on behalf of Senator MCCAIN tonight has nothing whatsoever to do with the Romney campaign against President Obama. We just heard my colleague, Senator MCCAIN, talking about the concerns he has cutting off aid cold turkey to some very important countries in the world in the middle of a crisis.

Who will be another speaker raising those same concerns tomorrow? Our Democratic colleague, Senator KERRY. This is a bipartisan question of whether this is the right policy for our country. I suspect the Obama administration and the President himself would generally be supportive of the position expressed by Senator MCCAIN and Senator KERRY.

I wish we could have a conversation around here, just once, without having it portrayed as some kind of partisan political exercise. This is not a partisan political exercise. It is a question of reasonable people having different views about what the best policy is, and the lives of Americans are on the line so it needs to be considered carefully, thoroughly, and with other options possibly being raised. That is what my colleague Senator MCCAIN is saying. That is why I interposed the objection on his behalf.

I do think, if the parties can get together tonight, tomorrow, potentially work out a way to approach the issue so it can be debated for the appropriate length of time and any alternatives presented, then we could move on with things. But let's do it in the context of the issue before us, not suggesting it has something to do with the Presidential campaign because that would be incorrect.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the reason I went into that is because my friend Senator MCCAIN talked about how little we have accomplished. I didn't bring that up. I indicated why we have accomplished so little.

I also say to my two Republican friends who are on the floor—there are three actually—this: The resolution, a piece of legislation that Senator PAUL is putting forward, I am not going to vote for it. Senator PAUL knows that. Democrats are not going to vote for this. The problem is the Republicans are split, not us. They are split. Their own caucus is split on what to do with the Paul amendment, not us.

I am happy to work with everybody. I have conferred. I say to the Republican assistant leader, I talked to my leadership team this morning. I talked to my caucus today about this. Republicans have a caucus the same time we do and they knew, and they knew before the caucus because everybody knew, what was going on with this. It was no secret. I talked to Republican Senators before their caucus. This is no surprise.

The hour time I put was arbitrary. I acknowledge that. If somebody wants more time to debate this issue, I am fine. I don't care.

I appreciate my friends' involvement, both of them.

The PRESIDING OFFICER. The Senator from Iowa.

DISCLOSURE OF TAX RETURNS

Mr. GRASSLEY. Mr. President, as a matter of senatorial courtesy, since I am referring to some things that the majority leader has said previously, not recently but previously, I have informed him of what I was going to say.

On August 2, the majority leader decided that the valuable time of this body would be best employed by speculating on the contents of the tax returns of Presidential candidate Governor Mitt Romney. These remarks also touched on the vetting process of the Senate Finance Committee. It is that aspect of this to which I want to refer.

As a senior member of the Finance Committee as well as former chairman and ranking member, I have come to familiarize my colleagues with the committee's vetting process.

On Thursday, August 2, the majority leader exclaimed:

> As we know, he has refused to release his tax returns. If a person coming before this body wanted to be a Cabinet officer, he couldn't be if he had the same refusal Mitt Romney does about tax returns.

This statement demonstrates a misunderstanding of the confirmation process for Cabinet officials and the Finance Committee vetting process in particular. The fact is, most prospective Cabinet officers do not need to disclose their tax returns. Actually, no prospective Cabinet officer is required to make their returns public in ordinary circumstances. To my knowledge, the Finance Committee is the only committee that asks nominees to provide copies of tax returns. Specifically, the Finance Committee asks that nominees provide copies of their last three Federal tax returns. The committee may request further returns if it is warranted by the circumstances of that particular time.

The committee asks for this information for a few reasons. To begin with, many nominees referred to the Finance Committee, such as the Secretary of Treasury and the Commissioner of the IRS, will be able to exercise significant influence over tax policy and administration. Additionally, the examination of a nominee's tax return sheds light on the nominee's character. Over the last few years, several high flyers in the Obama administration have come up short when measured by their tax returns. Therefore, the vetting process utilized by the Finance Committee has received a lot of attention.

Only two Cabinet officers and one position with the status of Cabinet rank are referred to the Finance Committee. These are the Secretaries of Treasury and the Department of Health and Human Services, as well as the U.S. Trade Representative. As I said before, to my knowledge, the Finance Committee is the only committee of the Senate to request copies of actual tax returns. This means that not counting the Vice President, there are 19 members of the Cabinet who do not release their tax returns during the Senate confirmation process.

As I said, no Cabinet official is required to make his or her tax returns public. This goes to the details of the Finance Committee's vetting process. All nominees referred to the committee are required to submit copies of their last three filed tax returns. These copies, along with other financial data, are shared with a very limited number of staff, specifically designated by the chairman and ranking member of the Senate Finance Committee.

While being reviewed, the returns themselves are kept under a very tight control. Most staff for the committee and ranking member do not have access to the tax returns. Neither the chairman nor the ranking member may unilaterally release the tax returns or information obtained from those tax returns. This means that even when I was chairman of the committee, rules prohibited me from unilaterally releasing a nominee's tax return or even making public that nominee's specific tax information.

When an issue is identified pertaining to a nominee's tax information, the chairman and the ranking member jointly determine how to proceed. Information is only released under bipartisan agreement and after consultation with the nominee.

For example, Secretary Geithner was given the opportunity to withdraw his nomination before the world learned of his failure to pay all his taxes. He was also provided an opportunity to review the bipartisan memo the committee eventually released.

In sum then, no nominee vetted by the Finance Committee needs to make their tax returns public, and in the majority of the cases no information is released. Additionally, the purpose of the vetting is not to damage the credibility of the nominee. I bet those seeking Governor Romney's tax returns are operating under a completely different standard. I especially find it interesting that the majority leader compared Governor Romney to Cabinet officials when speculating as to the contents of Governor Romney's returns. There seems to be an implication that a discovery of unsatisfied tax obligations would be problematic to the leader. While the majority leader may want to speculate as to whether Governor Romney has paid his taxes, there are nominees and officials of the current administration we know did not completely satisfy their tax obligations.

I will start this trip down memory lane with our current Treasury Secretary. Due in large part to his failure to pay self-employment taxes, irregularities in Mr. Geithner's returns added up to his owing a total of $48,268 in taxes and interest to the IRS. Those seeking a full accounting of the episode may read the bipartisan memorandum prepared by the Finance Committee, which is part of the record of his January 2009 nomination hearing. As I said, we don't need to speculate whether Secretary Geithner completely paid his taxes. We know as a fact he did not, to the tune of over $48,000.

Secretary Kathleen Sebelius disclosed that in preparation of her confirmation she filed amended tax returns for 2005, 2006, and 2007. She voluntarily made this information public in the form of a letter to Chairman BAUCUS and me. This letter was printed in the record of her nomination hearing. The result of those amended returns was that she paid a total of $7,040 in additional taxes and $878 in interest to the Internal Revenue Service.

Finally, I wish to mention former Senator Tom Daschle, who was the administration's nominee to be Secretary of HHS for a brief period of time in 2009. Although Mr. Daschle withdrew his nomination before the committee held a hearing on his nomination, it was widely reported, including in the New York Times and the Los Angeles Times, that he failed to pay more than $128,000 in taxes in the 3 years prior to his nomination.

In mentioning Secretaries Geithner and Sebelius and Mr. Daschle, I am not suggesting anything beyond the reported facts of their circumstances or that their tax errors were intentional. I just want to remind the majority leader of these situations where it is not necessary to speculate on whether taxes were owed.

While I appreciate the leader's newfound attention to the Finance Committee's vetting process, I wish to assure everyone has clear understanding of how this vetting process in the Senate Finance Committee works. I will be happy to discuss the committee's procedure with any interested colleague. I am sure Ranking Member HATCH and his staff would also be happy to discuss the process with anyone who was interested.

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 (Mr. BEGICH). Without objection, it is so ordered.

A HIGHER STANDARD

Mr. REID. Mr. President, first of all, I extend my appreciation to the senior Senator from Iowa, Mr. GRASSLEY. He indicated he was going to say a few things about me and he told me beforehand, and I appreciate that. That is the way the Senate should operate. So I appreciate very much my friend from Iowa doing that.

He came to the floor and, in effect, said that I said—I have said it on a number of occasions, but he picked one date—that Governor Romney could not be confirmed as a Cabinet officer because to be a Cabinet officer, you have

to give at least 3 years of your tax returns. Sometimes they ask for more. So my friend Senator GRASSLEY came to the floor and suggested he could be confirmed. Well, not really. The Senator from Iowa conceded my point. Mitt Romney could not be confirmed for Treasury Secretary. He could not be confirmed as Secretary of Health and Human Services. He could not be confirmed as Trade Representative. He could not even be confirmed as Assistant Secretary of the Treasury for Public Affairs and a number of other positions.

But there is a larger point to be made here. And why they would bring this up again I do not know, but they did. But there is a larger point to be made here. When you are running for the highest office in the land—President of the United States—you are also held to a higher standard of conduct than someone who wants to be a Cabinet officer or sub-Cabinet officer who gives us their tax returns.

The least Mitt Romney owes the American people—the least he owes them—is some honesty and openness. That we do not have.

The Senator from Iowa is correct about one thing—and this is what he said: The contents of a candidate's taxes do speak volumes about his character. That is what Senator GRASSLEY said, and I agree with him.

Let's not forget, Mitt Romney could solve this problem tomorrow—tonight—by releasing his tax returns, which he refuses to do. Why?

MORNING BUSINESS

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

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

Mr. REID. Mr. President, the week of September 17th marks the third annual celebration of Congress Week, sponsored by the Association of Centers for the Study of Congress. The Association is an independent alliance of institutions that preserve the papers of Members of Congress and use those papers to promote the study of Congress.

Congress Week's theme this year is ''Congress: Chosen by the People.'' Congress is the only branch of the Federal Government that is elected by the people. It is important, as Members of Congress, to manage and preserve our own papers for future historical research and study of our democracy.

Mr. President, I ask unanimous consent that a letter from the President of the Association of Centers for the Study of Congress and the Chair of the Congressional Papers Roundtable about Congress Week be printed in the RECORD.

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

SEPTEMBER 2012.

DEAR MEMBER OF CONGRESS: In honor of Congress Week (16–22 September 2012), the Congressional Papers Roundtable (CPR) and the Association of Centers for the Study of Congress (ACSC) encourage you to remember H. Con. Res. 307 (5 March 2008), ''expressing the sense of Congress that Members' Congressional papers should be properly maintained and encouraging Members to take all necessary precautions to manage and preserve these papers.''

Established in 1986, the Congressional Papers Roundtable is composed of members of the Society of American Archivists who work with or have an interest in the papers of members of Congress and the records of Congress. CPR provides a forum for discussing developments and developing guidelines in the preservation and management of congressional papers and records.

In 2003, ACSC was founded as an independent alliance of institutions and organizations that support a wide range of programs designed to inform and educate students, scholars, policy-makers, and members of the general public on the history of Congress, legislative process, and current issues facing Congress. ACSC encourages the preservation of material that documents the work of Congress, including the papers of representatives and senators, and supports programs that make those materials available for educational and research use. The association also welcomes the participation of institutions and individuals committed to the goal of promoting a better understanding of Congress.

ACSC has sponsored an annual celebration of ''Congress Week'' since 2009. The central goal of this national initiative is to foster the study of the U.S. House and Senate, and to promote a wider appreciation for the vital role the legislative branch plays in our representative democracy. This year's theme, ''Congress: Chosen by the People,'' is drawn directly from language in the Constitution and emphasizes that Congress is the only branch directly elected by the people. During Congress Week, ACSC members and participating organizations will feature a range of events including lectures and exhibits to highlight the role of legislative branch and the participatory role of citizens in registering to vote, staying informed on issues, and making one's opinions known to members of Congress.

Every day, the House and Senate make significant contributions to our nation's history. As a Member of Congress, the archival preservation of your papers is a long-lasting form of service to constituents in your state and throughout the nation. We urge you to embrace the tenets of H. Con. Res. 307:

(1) Members' Congressional papers (including papers of Delegates and Resident Commissioners to the Congress) should be properly maintained;

(2) each Member of Congress should take all necessary measures to manage and preserve the Member's own Congressional papers; and

(3) each Member of Congress should be encouraged to arrange for the deposit or donation of the Member's own noncurrent Congressional papers with a research institution that is properly equipped to care for them, and to make these papers available for educational purposes at a time the Member considers appropriate.

Documenting our democracy through the preservation of the record created by Congress is the work of many. In addition to the efforts of the National Archives, the endeavor involves the efforts of libraries, archival repositories, historical societies, and congressional and public policy centers in every state across the nation. We cannot succeed without you. Please take steps to preserve the historical legacy of your state and nation as represented in the records generated by your congressional office.

Sincerely,

LEIGH MCWHITE, CHAIR,
Congressional Papers Roundtable, Society Association of American Archivists and Political Papers Archivist, University of Mississippi.

SHERYL B. VOGT,
PRESIDENT,
Association of Centers for the Study of Congress and Director, Richard B. Russell Library for Political Research and Studies.

U.S. SENATE,
OFFICE OF THE SECRETARY,
Washington, DC, September 13, 2012.

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

DEAR SENATOR REID: The week of September 17, 2012 marks the third annual celebration of Congress Week, sponsored by the Association of Centers for the Study of Congress (ACSC). The ACSC was founded in 2003 as an independent alliance of institutions that preserve the papers of members of Congress and promote the study of Congress through the educational use of these collections.

This year's celebration builds on successful Congress Weeks in 2010 and 2011, observed by 35 member institutions around the country through lectures, film series, exhibits, and appearances by members of Congress. For Congress Week 2012, the ACSC and the Congressional Papers Roundtable would like to call attention to H. Con. Res. 307 (2008) by asking you to insert the attached letter into the Congressional Record.

As Chair of the Advisory Committee on the Records of Congress, I support this request because it encourages members of Congress to preserve their records and history.

Sincerely,

NANCY ERICKSON,
Secretary of the Senate.

TRIBUTE TO PHIL AND JENNIFER SATRE

Mr. REID. Mr. President, I rise to honor Phil and Jennifer Satre, who have spent more than 35 years as dedicated stewards of their community and champions for education. These college sweethearts are model parents, grandparents, philanthropists, and business and community leaders in northern Nevada. I am pleased that KNBP Public Broadcasting is recognizing the Satres with a special honor at the 15th Annual Aged to Perfection Tribute Dinner.

Phil Satre's work in Nevada began in 1975 with the local law firm Vargas & Barlett in Reno. Five years later, Phil started his career with Harrah's Entertainment, where he held various positions, including chairman and CEO, until his retirement in 2005. Phil was named Best Chief Executive in the Casino and Hotel Industries by the Wall Street Journal and was inducted into the Gaming Hall of Fame by the American Gaming Association, just two of his many outstanding honors and

awards. Although Phil is retired, he remains active in the community, serving on boards such as the National World War II Museum and the National Center for Responsible Gaming, NCRG.

Jennifer Satre was the cofounder of the Satre Family Fund at the Community Foundation of Western Nevada. She has served the State on multiple boards, including the University of Nevada, Reno Foundation, where she was a board trustee from 2001 to 2006, board chair in 2006, and became a trustee emerita in 2007. Jennifer, a tireless advocate for education, taught at Peavine Elementary School in Reno for seven years, nourishing, developing, and enhancing young minds to continue her legacy of great service to the community.

Due to their tremendous personal and professional success, together, Mr. and Mrs. Satre have generously supported the University of Nevada, Reno, and Stanford University, their alma mater. They continue their philanthropic legacy to the State of Nevada through the Satre Family Fund, the Phil and Jennifer Satre Harrah's Employee Scholarship Award, and other initiatives focused on community empowerment and the quality of education.

I am pleased to stand here today to recognize their remarkable contributions to the Nevada family. I am grateful to Phil and Jennifer for their exceptional service, community engagement, and love for the Silver State. You will forever be recognized as great champions for the State of Nevada.

TRIBUTE TO BILL CLINE

Mr. REID. Mr. President, I stand before you to recognize and honor Mr. Bill Cline for his dedication to the development and expansion of businesses in Nevada, across the United States, and throughout the world.

Bill's leadership was essential to the establishment and growth of two U.S. Commercial Service offices: the first, in Las Vegas in 2001, and the second in Reno in 2004. The offices have assisted and continue to assist small- and medium-sized business in northern and southern Nevada expand their international exports of products and services. Bill has led international initiatives to develop strong, sustainable growth and improve international trade advocacy with the United States. These initiatives have endorsed green building, renewable energy, energy efficiency, water conservation and recycling, all of which hold great potential for U.S. exporters.

Bill's dedication to his community is demonstrated by his 36-year commitment to public service, business development, and training. Though Bill retires on October 1, 2012, as director of the U.S. Commercial Service in Reno, I look forward to his continued contributions to the Silver State.

REMEMBERING OFFICER MARK A. TAULBEE

Mr. MCCONNELL. Mr. President, I come to the floor to report to my colleagues some sad news. A brave Kentucky law-enforcement officer has fallen in the line of duty. Officer Mark A. Taulbee of the Hodgenville, KY, police department was killed on Sunday, September 16, when his police vehicle crashed during the pursuit of a suspect.

Officer Taulbee had been with the Hodgenville Police Department for 13 months. Prior to that, he had been a deputy with the Butler County Sheriff's Department for 3 years. He is survived by his wife Elizabeth and two children, Audra and Austin.

Officer Taulbee upheld a great tradition of service and sacrifice that is observed by the many men and women in local, State, and national law enforcement across America. Our country owes them a debt of gratitude for putting their lives on the line to protect us and our communities.

Tragically, Officer Taulbee is the first and only Hodgenville police officer ever lost in the performance of his duty. Across America, 84 law enforcement officers have fallen in the line of duty in 2012. That includes two from the Commonwealth of Kentucky, out of a total of approximately 7,800 sworn law enforcement officers statewide.

I know my Senate colleagues will join me in sending my deepest sympathies to Officer Taulbee's family and his colleagues at the Hodgenville Police Department. We have the deepest admiration and respect for police officers in every community across America.

We recognize theirs is both an honorable job and a dangerous one. They bravely risk their lives for ours, and America appreciates everything they do. We cannot be grateful enough for them and their families.

Mr. President, a recent article appeared on the Web site of television news station WAVE–3 of Louisville paying tribute to Officer Taulbee and noting the loss felt by his fellow officers. I ask unanimous consent that said article be printed in the RECORD.

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

[From WAVE3.com, Sept. 18, 2012]

HODGENVILLE POLICE CHIEF REMEMBERS FALLEN OFFICER

HODGENVILLE, KY (WAVE).—Services have been set for a Hodgenville police officer who died in the line of duty.

Officer Mark Taulbee, 44, had been a longtime law-enforcement officer in eastern Kentucky before moving to Hodgenville a little more than a year ago.

Despite being at the department a short time, the chief said Officer Taulbee had a lasting impact on the police force.

''Just like family. It's really hard,'' said Hodgenville Police Chief Steve Johnson. ''We're very tight, and it's been a shock to all of us.''

The police department of five now prepares to say goodbye to one of its own.

''I am thinking this is the only officer we've ever lost in the line of duty,'' Johnson said.

A makeshift memorial of crosses can be found where the crash happened.

Taulbee was chasing a suspect around 3:00 Saturday morning.

In the midst of the case, another call came into 911. ''A lady said a police car had wrecked in front of her house and the officer was laying outside the vehicle,'' Johnson said.

Taulbee was rushed to a hospital. ''His wife was working at Hardin Memorial Hospital when he arrived. She's an X-ray technician,'' Johnson said.

It's believed that's the last time she saw him. He was then rushed to University of Louisville Hospital.

''My understanding was that he was on his way to surgery or to X-rays and his heart stopped. They did CPR but were unable to bring him back,'' Johnson said.

Johnson said his phone has been ringing non-stop with calls from across the country, offering support.

''Hopkinsville and Elizabethtown are going to send officers over to work the city so all my units can go to his funeral. I guess that's what's hitting us so hard. It's the suddenness of it. It's just hard,'' Johnson said.

Services for Officer Taulbee will be held at the Hodgenville Civic Center. Visitation is set for Thursday from 3 to 8 p.m. and Friday 9 a.m. to noon. The funeral will begin at noon on Friday.

The officer leaves behind a wife, a 20-year-old daughter and a 16-year-old son.

REMEMBERING GEORGE WASHINGTON 'G.W.' GRIFFIN

Mr. MCCONNELL. Mr. President, I rise today to mourn the loss of a good man, an honored Kentuckian, and a dear friend. Mr. George Washington Griffin passed away on December 19, 2011, from complications of pneumonia at the age of 85. He is deeply missed by all those who knew and loved him.

George—known to his friends as G.W.—was a fixture of the Laurel County community and a leader in the region and the Commonwealth. A co-owner and former chairman emeritus of the Laurel Grocery Company, G.W. served on the National American Wholesale Grocers Board of Governors for two terms beginning in 1967. He was elected president of the Kentucky Wholesale Grocers Association in 1979, and the Kentucky Grocers Association/Kentucky Association of Convenience Stores honored Mr. Griffin as Kentucky Grocer of the Year in 1986.

When George retired from the grocery industry in 1997, he left the Laurel Grocery Company well positioned for success in the 21st century. Fellow members of the grocers industry across Kentucky honored G.W. as one of the original three inductees into the Kentucky Grocers Hall of Fame in 2005.

G.W. was born in East Bernstadt, KY, in 1926. He attended the Kentucky Military Institute, Wake Forest University, and the University of Kentucky. He served in the U.S. Navy during World War II and was decorated with the Victory Medal, the American Area Campaign Medal, the Asiatic-Pacific Area Campaign Medal, and the Philippine Liberations Ribbon.

G.W. was also very involved with the Cumberland Valley National Bank, Institutional Distributors, and played a

role in the formation of Appalachian Computer Services in London. He also had a hand in Laurel Insurance Company and worked in the printing industry. In his spare time, G.W. loved UK athletics, rarely missing a home game.

G.W. was a close personal friend to me and a strong support of mine going back to 1984. I will always be thankful for his belief in me and his help over the decades. It was a pleasure to see him every time I made my way to London. I will miss our friendship.

Elaine and my prayers go to G.W.'s family, including his wife Elizabeth; his daughter and son-in-law, Elizabeth and Hal McCoy; his son and daughter-in-law, George William and Becky; his son and daughter-in-law, Winston and Shannon; his sister, Margaret Fouts; his five grandchildren; and many other friends and family members. G.W. was preceded in death by his parents, George W. Sr. and Willie Lee, and his brother William.

Mr. President, I ask my U.S. Senate colleagues to join me in mourning the loss of Mr. George Washington ''G.W.'' Griffin and extending sympathies to the Griffin family. Kentucky is poorer for his loss.

An obituary detailing Mr. Griffin's incredible life appeared in the Laurel County-area publication the Sentinel Echo. I ask unanimous consent that said article be printed in the RECORD.

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

[The Sentinel Echo, December 23, 2011]

GEORGE WASHINGTON 'G.W.' GRIFFIN—OWNER OF LAUREL GROCERY COMPANY

LAUREL COUNTY, KY.—George Washington ''G.W.'' Griffin, 85, died December 19, 2011, from complications of pneumonia.

Born on February 28, 1926, in East Bernstadt, Griffin attended the Kentucky Military Institute, Wake Forest University and graduated from the University of Kentucky, where he was a member of the Kappa Alpha Fraternity. Having served in World War II, he was a proud veteran of the United States Navy.

He was a member of the First Baptist Church. He was a founding member and past president of the London Country Club and long-time member of Biltmore Forest Country Club. He served on the board of trustees of the University of Kentucky for 16 years, which is how he met his partner in crime and close friend, the late, great Dr. Otis Singletary. Griffin was past chairman of Laurel Grocery Company, Cumberland Valley National Bank, Institutional Distributors, London Rotary Forms, and the Food Marketing Education Council (the Red Coats). He was a board member of Cumberland College, National-American Wholesale Grocers Association, Kentucky Chamber of Commerce, Appalachian Computer Systems, and the Kentucky Grocers Association. He was an initial inductee into the Kentucky Grocers Hall of Fame. An avid golfer and thoroughbred horse owner/racing enthusiast, he traveled all over the world to pursue his passions, but his favorite place was always the great state of Kentucky. A diehard UK fan, Griffin never missed a home football game until he became too ill to attend.

He was preceded in death by his brother, William ''Bill'' Griffin.

He is survived by his wife of 53 years, Elizabeth Park ''Sis'' Griffin, and sister Margaret Fouts of Lacey, Wash.

The couple have three children, Elizabeth (Hal) McCoy of Hopkinsville, Ky.; George William (Becky) Griffin of Lexington; and Winston (Shannon) Griffin of London; and five grandchildren, Winston Park Griffin, Charlotte Grace Griffin, Griffin Bell McCoy, Catherine Rose Griffin, and Bella James Griffin.

The Griffin family extends heartfelt gratitude to Don Dossett for his loving care and assistance with G.W. Griffin these last two years.

Funeral services will be held at 11 a.m. Wednesday at First Baptist Church, 804 W. 5th Street, London, with Dr. Terry Lester officiating.

Burial will be in A.R. Dyche Memorial Park.

Visitation will be held from 5 to 8 p.m. Tuesday at House-Rawlings Funeral Home, 510 E. 4th Street, London.

Memorial contributions can be made to George W. Griffin Charitable Scholarship Trust, PNC Institutional Investments, 1900 East 9th Street, Cleveland, Ohio 44114, Attn: Lauren Middleton.

CONSTITUTION DAY OBSERVANCE

Mr. MCCONNELL. Mr. President, this Monday, September 17, our Nation celebrated one of our greatest founding documents the document that has guided the discourse of our great Nation for 225 years. Every September 17, we celebrate Constitution Day.

Americans of all walks of life are united by the ideals of equal justice, limited government, and the rule of law. It was the vision and determination of the Founders who wrote and signed the Constitution that makes our celebration today possible.

More than two centuries ago, the Founders met in Philadelphia to create a constitution that would preserve liberty and foster freedom. They established three separate branches of government and a system of checks and balances among them. Ours is still the oldest written Constitution in use in the world.

The most important purpose of Constitution Day is to teach these lessons to the younger generations. I am pleased to say that the Kentucky Department of Education has made resources available to secondary schools across the Commonwealth to help them recognize this special day.

The University of Kentucky marked Constitution Day by inviting speakers and holding historical forums. And at the University of Louisville, Constitution Day was celebrated with a constitution quiz bowl and constitution cupcakes.

So on this day, we recognize the students, teachers, and community leaders in Kentucky and across the Nation who promote and protect the ideals of our glorious Constitution.

We also say a special thanks for our men and women in uniform who defend it.

More than two centuries ago, the 39 signers of our Constitution gave us a more perfect union through a document that endures and guides us here today.

They understood, as we all must, that above all, government serves to secure the blessings of liberty for the people of our great Nation. It is an honor to stand on this floor and recognize how we have reaped the fruit of their efforts these many years later.

REMEMBERING GEORGE JOHN 'G.J.' SMITH

Mr. MCCONNELL. Mr. President, I rise to pay tribute to a Kentuckian who was a coach, athletic director, and teacher to many and a confidant and good friend to even more. Kentucky mourns the passing of Mr. George John Smith of London, KY, who passed away on August 17 of this year at the age of 59.

Known as G.J. to his many players, friends, and fellow baseball fans, Mr. SMITH was a Laurel County native born in 1953. He began his coaching career at Laurel County High School in 1977. When he stepped down from that position 26 years later, he was ranked among the winningest high school baseball coaches in Kentucky with over 600 victories.

G.J. was also the athletic director at South Laurel and the Laurel County Board of Education. He was inducted into the Laurel County Sports Hall of Fame and the Kentucky High School Baseball Coaches Association Hall of Fame. He was also a member of Mt. Zion Church of Christ.

In college, G.J. played basketball at the University of Kentucky under coach Adolph Rupp. He is survived by his wife Judy; two sons, Cameron and Trey; a sister and brother-in-law, Charlie Jean and Terry Mack; and many other beloved family members and friends.

I ask my U.S. Senate colleagues to join me in extending sympathies to the family of G.J. Smith as well as his many friends and players. As the home of Pee Wee Reese and the Louisville Slugger, the Commonwealth of Kentucky has certainly contributed more than its share to America's greatest pastime. I am pleased the legacy of G.J. Smith will be remembered as a part of the Bluegrass State's baseball history as well.

Mr. President, an article describing G.J. Smith's life of achievement recently appeared in the Whitley County-area publication the Times Tribune. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Times Tribune, Aug. 20, 2012]

G.J. SMITH: 1953–2012

FORMER WILDCAT, COACHING LEGEND DEAD AT 59

(By Chris Parsons)

LONDON.—The Commonwealth of Kentucky lost one if its sports legends Friday when G.J. Smith, former Kentucky Wildcat and long time Laurel County coach and athletics director, died of a heart attack at the age of 59.

Smith was considered an ambassador of sports in Laurel County on many occasions

and his love of student athletes is something he'll always be remembered for. Though he held many titles in his career, the one title most common among those that knew Smith was that of a friend and teacher.

Former South Laurel basketball coach Steve Wright, who coached under Smith in baseball as an assistant and basketball when Smith was the AD, said Smith's experiences and heartfelt dedication is what sticks out to him more than anything.

''He's the most fierce competitor I have ever been around,'' Wright said. ''When you were around him, he just taught you the value of winning and doing well.

''The thing I learned from him most was that the kids always came first,'' Wright added. ''No matter what he did, he always wanted what was best for the students no matter what the situation was.''

Wright said one of his fondest memories with Smith was after South Laurel won the state championship in 2005, when they shared a special moment after the game.

''He wasn't a real emotional guy, but after that game he came over and gave me a big hug,'' Wright said. ''It was a moment as coach, it was a moment as an AD and it was a moment as a father and I'll always remember that.

''We were able to share a dream that we both had,'' he added. ''It really was like a mountain top for both of us, and I look back on that because it was a moment that I think he really enjoyed and could say 'my school just won the state championship.' ''

As a basketball player in his younger days, Smith became the only player to lead two different teams to the Sweet 16 in consecutive years after he first led Hazel Green in 1970, and Laurel County after consolidation in 1971, when he was also named a High School All-American and played for the Kentucky All-Stars.

Smith's coaching career spanned 26 years, with a career total of 662 wins, 15 district titles and six region championships as head coach. Smith's teams never had a losing season during Smith's tenure and won 30 games six times.

Current Corbin baseball coach Rob Ledington, who played for Smith in high school and got his first coaching job under him, said his relationship with Smith was often misconstrued, yet grew in Smith's later days.

''Our relationship was a lot stronger than a lot of people realized,'' said Ledington. ''I got my start in baseball with him as a player and I got my first coaching job under him.

''A lot of the stuff that I do as a coach, as a teacher, and as a father, I learned from him,'' he added. ''Outside of my immediate family, he was the most influential person in my life. We've had disagreements, but that's just part of being a family. It's a sad day for baseball and it's just as sad a day for me personally.''

As a result of Smith's high-school basketball accolades, he was a member of Adolph Rupp's famed Super Kitten recruiting class. While he was at UK, Smith was a part of history twice as he played in the final games of John Wooden of UCLA (the 1975 NCAA Championship game) and Rupp. Smith said on several occasions that his favorite UK memory was when the Wildcats knocked off top-ranked Indiana, 92–90, to end the Hoosiers' 34-game winning streak in the Mideast Regional final game in Dayton, Ohio.

Arrangements will be handled by House-Rawlings Funeral Home in London.

The family will hold a visitation after 6 p.m. Monday night and the funeral will be Tuesday at 11 a.m.

TRIBUTE TO ERNESTINE CORNETT

Mr. MCCONNELL. Mr. President, I stand before you today to pay tribute to a woman who has spent a significant amount of her life working to inform and entertain local communities in eastern Kentucky through the television station WYMT. After 20-plus years and a plethora of job titles within the company, Ms. Ernestine Cornett retired from her position as general manager in May of 2012 with as much passion and joy in her heart as when she first began.

In the mid-1980s, Ernestine, her husband, and their daughter relocated from the city of Lexington to Perry County. It was here that the admirable works produced by Cornett began. Responding to an ad in the newspaper began the journey of this extensive television-business career. I have great respect for Ernestine as she started at the bottom, worked hard, and eventually progressed to the top of the hierarchical ladder.

Ambitiously, she pressed through to accomplish great things, not only for eastern Kentucky but also for the television company in which she was employed. Working for WYMT television station, Ernestine knew that her friends and family would be adequately updated with weather and news announcements, as well as sports and other forms of entertainment. The television station matured and displayed ample signs of success while Ernestine was aboard with the company.

Her motivation in life was to make sure that eastern Kentucky was knowledgeable and well-informed. Finally, after 27 years of working, Ernestine Cornett retired in order to enjoy time with family and the next phase of her life. Ernestine trusts that WYMT will continue to prosper and the team members will carry on with her same passion.

The Hazard Herald recently published an article about the accomplishments of Ms. Ernestine Cornett, and I would ask unanimous consent that said article be printed in the RECORD following my remarks.

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

[From the Hazard Herald, May 30, 2012]

Ronald Reagan was president, very few people had ever heard of high-definition television, and a small CBS affiliate with the call letters WYMT was about to revolutionize the way eastern Kentuckians got their news each day.

It was 1985, just two years after Ernestine Cornett and husband Keith had returned to their native Perry County with their four-year-old daughter Ashley in tow. Keith had just sold his accounting and income tax business in Lexington.

They were, as Ernestine put it, ''starting over in familiar surroundings.''

A graduate of Hazard High School, and then Morehead State University, Ernestine Cornett had been substituting in the city and county school districts when she ran across an ad in the Hazard Herald for a position at this new television station. She answered the ad, interviewed with a Lexington broadcaster by the name of Ralph Gabbard, and got the job in the avails coordinator position, a job which she described as consisting of inputting advertiser information and ensuring that the ad would have time on the air.

''Frankly, at the time, I had no idea what I was suited for in the television business,'' Cornett said. ''Certainly I had no experience, but evidently Mr. Gabbard knew.''

Mr. Gabbard must have known, because in a couple of years she took the position of sales assistant and then office manager. And then, in 1990, when station manager Wayne Martin was promoted to the WKYT station in Lexington, Cornett also received a promotion and began what would be a career heading WYMT that would last more than 20 years. That career will come to an end with Cornett's retirement later this month, but it was Martin whom she credited with her long tenure at WYMT, and with her landing the job in the first place.

''Certainly Wayne Martin was a big part of my success at WYMT, as he recommended me for his replacement, and although I was intimidated at the prospect, I knew it was a once-in-a-lifetime opportunity,'' Cornett said.

Martin returned to Hazard on Tuesday of this week, as he attended a special lunch to honor Cornett's career and noted that her leadership has been a cornerstone at WYMT now for 22 years.

''Her leadership has been one which I know I've tried to emulate because of her integrity, and sense of fair play, and her absolute passion for eastern Kentucky,'' Martin said.

WYMT was purchased by Gray Television in 1994, an Atlanta-based media company that owns several other stations, including WKYT in Lexington and WVLT in Knoxville. When Gray took over WYMT, Cornett's title changed to vice-president and general manager.

In the years that Cornett has headed WYMT, the station has shown growth and success, and has also maintained its relevancy as eastern Kentucky's only localized television broadcast. There are no other television stations that cater solely to the eastern Kentucky market. The station has been able to do that, Cornett explained, because the station serves the community, both as a local advertising source and a news outlet that offers hard news updates and features, as well as weather, sports, and entertainment options for the residents of eastern Kentucky. That was something that had never been done on television prior to WYMT's creation.

And as a native and resident of eastern Kentucky, as well as the leader of a media outlet, Cornett knows well the importance that a news organization can represent, and the service it can provide.

''As a local, I was a manager fully invested in the success of this station because I can remember what it was like before WYMT came along,'' she said. ''I would not want to return to those times. Now, I will be fully invested in the station in new ways, as a viewer, as a consumer.''

But there have been a lot of changes and challenges along the way that Cornett oversaw during her career. Gone are the analog broadcasts, and WYMT's newscasts are not solely offered on television anymore.

''Our news can be watched on the World Wide Web and on mobile devices,'' she noted. ''And, although it took us years to get a satellite truck, there are now small portable devices that can transmit news packages through phone and data lines. Technology in this business is always moving forward. Our challenge is to keep up.''

Cornett will spend her last day at the station in Hazard on Friday, and of course, after a long career there are going to be some things she will miss, from the people she meets every day in the station's hallways to

the excitement of being inside the news machine as it does its work. But at the same time, she knows that WYMT won't miss a beat with the management team in place, and she's certainly happy about that.

''We have a great cohesive crew here and a great management team in Neil Middleton, Jim Boggs, Louise Sizemore, and Philip Hayes,'' she noted. ''I am leaving the station in very capable hands, thus I have am leaving with a wonderful sense of pride and peace.''

Cornett said she doesn't have any specific plans after her retirement is final, and after attending school or working for the majority of her life, she is ready for what she called ''unstructured days.''

''I have no immediate plans except to enjoy my family, get up every day and do what pleases me,'' she said, and from all accounts that is something she has certainly earned.

''She's a very compassionate person, and she realizes the needs, day to day, of the people that work here,'' noted Phil Hayes, chief engineer at WYMT. ''She didn't micromanage anyone, but she was able to comprehend and anticipate what it took to make this station operate as efficiently as it has, and she's just a great person to work with.''

''You couldn't have a better boss than Ernestine Cornett,'' added Neil Middleton, WYMT's news director. ''I think the way we look at Ernestine is, she was our boss, but more importantly she is our friend, and she is family.''

REMEMBERING MARTIN DOCK SCOTT, JR.

Mr. McCONNELL. Mr. President, I rise today to pay tribute to an honored Kentuckian and a man of great accomplishment who proudly served our country. Mr. Martin Dock Scott, Jr. of Bowling Green, KY, passed away Wednesday, September 5, 2012, due to cancer. He was 65 years old.

I have great appreciation for Mr. Scott, as he lived such a remarkable life. After graduation from Menifee County High School, Mr. Scott served in the United States Army from 1966 to 1970. He served with B Company, 1st Battalion, 52nd Infantry, 198th Light Infantry Brigade. Thus far is evidence enough that Mr. Scott lived a worthy life, yet he continued onward, and so the list of his service and accomplishment also continues.

While in the military, Mr. Scott served in Chu Lai, Vietnam, and operated out of LZ Stinson and other landing zones. Needless to say, Mr. Scott put his life on the line for this country. In July 1970, Mr. Scott was honorably discharged.

Among his many military decorations, he earned two Bronze Stars. The first, with ''V'' Device, was awarded to Mr. Scott in February 1970 for expressing heroism under combined ground and mortar attack while his platoon was providing security for Dai Loc hamlet. The second medal was received in April 1970 for ''meritorious achievement in connection with military operations against a hostile force.''

Mr. Scott graduated from Eastern Kentucky University, married ViAnn Ford in November 1969, and started a family. I want to convey my deepest condolences to the many family members and friends who knew and were loved by Martin Dock Scott, Jr.

I would ask my U.S. Senate colleagues to join me in commemorating his commitment to service and in extending sympathies to the Scott family. The Commonwealth of Kentucky will be proud to remember the life and deeds of Mr. Martin Dock Scott, Jr.

Mr. President, an obituary for Mr. Scott as provided by the family recently appeared in local newspapers. I ask unanimous consent that said obituary be printed in the RECORD.

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

BOWLING GREEN, KY.—Martin Dock Scott, Jr., 65, answered his Lord's call on Wednesday, September 5, 2012, surrounded by family at his residence following a brave battle with cancer.

Martin was born January 10, 1947, in Dayton, Ohio. He graduated from Menifee County (KY) High School in 1965 after which he served his country in the U.S. Army in Korea and in Viet Nam 1966 to 1970, receiving two Bronze Stars during action in Viet Nam. He served on the Bowling Green Police Department as patrolman and later as detective from November 11, 1970 until his retirement on April 30, 1989, when he then became a Commonwealth's Detective for the Warren County Commonwealth's Attorney's Office. Martin served 23 years under Commonwealth's Attorneys Morris Lowe, Steve Wilson, Michael Pearson, and Chris Cohron.

Martin was an active member of the Kentucky Fraternal Order of Police for 39 years, serving as President of Bowling Green Lodge #13 for 12 years and as President of the Kentucky State Lodge for 18 years. He was a 14-year member of American Legion Post #23, a life member of KY VFW 5712 and a Master Mason of Lodge #73 of the Grand Lodge of KY, F. & A.M., and a graduate of Eastern Kentucky University.

He lived a life of service, and most important to Martin was his service to his Lord and Savior Jesus Christ through membership, personal testimony and ministry at Plum Springs Baptist Church.

Martin is preceded in death by his parents, Martin D. and Alpha Vititoe Scott, and by his infant son, William John Scott. He will be greatly missed by his wife of 43 years, ViAnn, and their family: son Martin ''Dock'' Scott, III and daughter-in-law Stephanie of Bowling Green; daughter Alpha ''Amber'' Scott Ford and son-in-law Eric of Smiths Grove; and daughter Autumn Annette Scott of Bowling Green; grandchildren Erica, Brooke, Melanie, Cody, Chase, Cole, Zach, Taylor, Lauren, and Reed; great-grandchildren Kaden, Callie, Ean, and Isaac; brothers George Scott of Bowling Green and sister-in-law MaryAnn and Tim Scott of Middletown, Ohio, and sister-in-law Susie; sister Kathy Harris and brother-in-law Arthur; sister Karen Tehrani all of Bowling Green and sister Sue Brashear and brother-in-law Stan of Trenton, Ohio; sister-in-law Janet Bradfield of Leonardville, Kansas, and Nicki Ford of Overland Park, Kansas; as well as beloved aunts and uncles as close to him as brothers and sister, many nieces and nephews, cousins and dear friends.

Visitation is Sunday, September 9, from 2:00 to 5:00 p.m. and 7:00 to 9:00 p.m. at J.C. Kirby & Son Lovers Lane Chapel and on Monday, September 10, from 9:00 a.m. to 1:00 p.m. at Living Hope Baptist Church. Funeral is 1:00 p.m. at the church with burial at Fairview Cemetery #2.

TRIBUTE TO MONTFORD POINT MARINES

Mr. DURBIN. On June 27, 2012, Congress presented the Congressional Gold Medal to the first African Americans to serve in the United States Marine Corps, the Montford Point Marines. More recently, the personal story of three of those marines from southern Illinois was brought to my attention.

Most people have heard of the Tuskeegee Airmen and the Buffalo Soldiers, but until recently, the Montford Point Marines were largely unknown to the general public. During the 1940s, segregation and discrimination were pervasive in this country. Unfortunately, the Marine Corps was no exception.

To counteract the injustice, President Franklin D. Roosevelt issued an Executive order that prohibited racial discrimination in the national defense industry, including Federal agencies. This order forever changed the Marine Corps from an all-white fighting force to one comprised of those willing to serve.

Camp Montford Point, NC, is the site where the first African Americans who joined the Marine Corps were trained. Nearly 20,000 African Americans trained there, many of whom served honorably in World War II. The marines established Camp Montford Point adjacent to Camp Lejeune and those who trained there were known as the Montford Point Marines.

One man who answered the call to serve was Carbondale, IL, resident Archibald Mosley. In 1942, Mosley said that he was a ''girl-crazy'' typical teenager ready to graduate from high school in Jackson County, IL. An exceptional student, Mosley was asked by the principal, along with a handful of other students, to serve in the marines.

Mosley enlisted with two of his friends, Saul Griffin, Jr. and James France. Mosley, because his records indicated that he had some college, was chosen to lead the others. They were sent to train at Camp Montford Point.

The conditions for the recruits at Montford Point were miserable. The white men who trained at Camp Lejeune lived in barracks. The African-American men were housed in huts made of beaverboard—similar to thick cardboard. The huts had little, if any, heat in the winter and no relief from the sweltering temperatures in the summer. Nor did they have access to the same equipment. The African Americans didn't know how bad it was—they weren't allowed into the same areas at their White colleagues.

Amazingly, despite their willingness to die for their country, the Montford Point Marines still faced incredible injustices after the deplorable conditions during training. One situation that has continually bothered Mosley was when German prisoners of war were allowed to eat before the African-American Marines. He couldn't understand why the enemy would be able to eat before one of their marine brothers—it appeared that loyalty didn't extend beyond race.

After World War II, marines were sent home to be congratulated by the President. The Montford Point Marines weren't even recognized for their service.

Decades after the doors opened at Camp Montford Point, in November of last year, Congress finally voted to award these honorable men with the highest civilian award in the United States because of their honorable and noble service to America. They were called to serve and they responded—nearly 20,000 strong.

Despite the poor treatment, despite the poor jobs, despite the substandard conditions, the Montford Point Marines served their country. Before all else, they were Americans. Archibald Mosley and his friends lived and breathed the Marine Corps motto, Semper Fidelis, ''Always Faithful.''

I am thankful that they did. I am also thankful that our Nation took the steps we did to ensure those brave Americans received the recognition they were denied for so many years.

Saul Griffin, Jr. and James France didn't live to see it, sadly, but Reverend Mosley and many of his fellow marines were able to make the trip to Washington this summer to receive the long delayed thanks from a grateful Nation.

ANNIVERSARY OF ENACTMENT OF THE LEAHY-SMITH AMERICA INVENTS ACT

Mr. LEAHY. Mr. President, Sunday marked the 1-year anniversary of the enactment of the Leahy-Smith America Invents Act. One year ago, I was pleased to stand on a stage at the Thomas Jefferson High School for Science and Technology in Virginia with House Judiciary Committee chairman LAMAR SMITH, Director of the U.S. Patent and Trademark Office David Kappos, Acting Commerce Secretary Rebecca Blank, and others. Together, we watched President Obama sign into law the most important changes to our Nation's patent laws in 60 years.

Many of the provisions of the legislation took effect on the 1-year anniversary, while other important changes, such as the shift to first-inventor-to-file, will take effect in 6 months. I commend the Patent and Trademark Office, PTO, for the work they have done, in a transparent manner, to prepare for the new procedures that take effect this week.

At its best, our patent system encourages exploration and invention, creating wealth, and providing jobs. Abraham Lincoln famously said that ''the patent system added the fuel of interest to the fire of genius.'' But when patents are granted on unpatentable subject matter or on obvious creations already in use, they can be misused to stifle competition.

The new patent law will aid the PTO in separating the wheat from the chaff, weeding out low-quality patents that infect our system, and bolstering those patents that truly advance ''the progress of science and useful arts.''

While the changes made by the patent bill were sweeping, I am under no illusion that they solved all the problems that confront our patent system. The assertion of patents is too often still used by patent trolls to extract payment even where there is not infringement of a valid patent because the cost of litigation makes settlement more expedient, and the ''tech patent wars'' among the large mobile phone companies show the perils to competition that can come when companies do not reach business-to-business resolutions of their patent disputes. But the improvements made by the Leahy-Smith America Invents Act will go a long way to making the system work better for inventors and implementers.

Enactment of the patent bill was more than a victory for American inventors, large and small; it was a demonstration that Congress can still work in a bipartisan, bicameral matter. I stood proudly on the stage 1 year ago with a Republican chairman of the House Judiciary Committee, watching the President sign a law on which Chairman SMITH and I had worked closely together for 6 years.

The legislative success of the patent bill shows what we can achieve when we put aside rhetoric and, instead, negotiate and collaborate in good faith. We held countless bipartisan, bicameral meetings, briefings, and discussions with all interested parties. We worked closely with Director Kappos, then-Secretary of Commerce Locke, and Members of Democratic and Republican leadership in both the Senate and the House of Representatives.

In short, the process that took the patent bill from the Congress to the President for his signature was one of which we can all be proud. In an increasingly partisan Congress, I was pleased to have the opportunity to lead a legislative process that was, from start to finish, both bipartisan and bicameral.

GENERAL CRAIG McKINLEY

Mr. LEAHY. Mr. President, next month, a distinguished member of our Armed Forces will retire. I want to recognize and congratulate GEN Craig McKinley, who has spent the last 38 years in service to our country, and who has led the National Guard through a unique period of challenge, change, and triumph.

General McKinley's service began during another period of dramatic change. He received his commission as a distinguished graduate of the ROTC program at Southern Methodist University and entered undergraduate pilot training at Moody Air Force Base in Georgia in 1974. With the conclusion of military engagement in Vietnam, the nation's military leaders faced a number of questions, including the future role of the National Guard. These same questions would later guide General McKinley's efforts to lead the National Guard toward its current role as an operational force.

General McKinley has had a distinguished career, including assignments as an instructor pilot, the commander of the 125th Fighter Wing, the commander of the 1st Air Force, and the commander of the Continental United States Region of the North American Aerospace Defense Command. He served in the U.S. European Command and as Director of the Air National Guard. These assignments culminated in General McKinley earning his fourth star as Chief of the National Guard Bureau. He did all of this while logging over 4,000 flying hours in a wide range of aircraft and earning the rating of command pilot.

While I could reflect on many notable moments in General McKinley's career, I will never forget one in particular. It was November 10, 2011, when Senator LEVIN and Senator MCCAIN convened an historic hearing of all six sitting Joint Chiefs of Staff, the Department of Defense General Counsel, and General McKinley, to examine a proposal I had introduced to add the Chief of the National Guard Bureau to the Joint Chiefs of Staff. Despite the arguments against this change by all six sitting Joint Chiefs, General McKinley's measured and reasonable responses won the day. Ultimately, 71 senators came to agree with General McKinley and joined as cosponsors of what is known commonly as the second National Guard Empowerment Act. This bill became law in December 2011, and General McKinley was a decisive factor in this victory for the National Guard. Without his resolve to see the almost half a million men and women of the Guard represented at the top military panel in the national command structure, we would not have triumphed.

General McKinley has offered steady leadership to the Guard during a truly historic period. I am grateful to have had him as a partner. Without him, I doubt our nation would have the world-class operational reserve that we have today.

Congratulations, General McKinley. Best wishes to you, Cheryl, Patrick, and Christina as you retire to civilian life.

REQUEST FOR CONSULTATION

Mr. COBURN. Mr. President, I ask unanimous consent that my letter to Senator MCCONNELL dated September 19, 2012, be printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, Sept. 19, 2012.

Hon. MITCH MCCONNELL,
Senate Minority Leader,
Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding the Local Courthouse Safety Act of 2012, S. 2076.

While I support the motive behind this legislation and believe ensuring the safety of state and local courthouses is a noble goal, I believe the responsibility to address this issue lies with the state and local governments. I do not believe the federal government has the authority under the Constitution to provide training for local and state law enforcement or to provide security equipment to state and local courthouses at the federal government's expense. Further, I believe the training program this bill authorizes duplicates existing federal training programs.

First, S. 2076 authorizes the Director of the State Justice Institute (SJI) to carry out ''a training and technical assistance program designed to teach employees of State, local, and tribal law enforcement agencies how to anticipate and respond to violent encounters during the course of their duties, including duties relating to security at State, county, and trial courthouses.'' The purpose of SJI is to further the development and adoption of improved judicial administration in state courts in the United States, which is not a federal responsibility under the Constitution. States are responsible for the administration of their courts. Adding an additional allowable purpose to SJI merely broadens the unconstitutional reach of this agency. Further, even though S. 2076 does not provide any additional funding for SJI the agency could use the authorization of additional responsibilities as a basis for requesting future appropriations from Congress.

Second, the SJI training program authorized in this bill potentially duplicates existing federal training programs available to state and local law enforcement. The following programs already exist:

1. U.S. Marshal Service's National Center for Judicial Security, Office of Protective Intelligence; Shares threat information with state and local law enforcement agencies and provides training to state and local law enforcement officers who provide courthouse security. Also, provides guidance and support to district offices and Judicial Security Inspectors (JSIs) conducting high threat proceedings and protective responses.

2. U.S. Marshal Service's National Center for Judicial Security Fellowship Program; Provides a three-month training program for state, local, and international ''court security managers.''

3. FBI's Uniform Crime Reporting (UCR) division and Law Enforcement Officers Killed and Assaulted (LEOKA) programs; UCR and LEOKA collect data on law enforcement officers who have been killed or assaulted in the line of duty. The FBI then conducts LEOKA training programs for state and local law enforcement personnel based on this data.

4. FBI's Law Enforcement Training for Safety and Survival (LETSS) program; Trains FBI, police officers, and international law enforcement personnel in survival techniques.

5. FBI Field Police Training program; Includes firearm training for state and local partners.

6. FBI's Law Enforcement Executive Development Association program; Trains heads of state and local law enforcement agencies with between 50 and 500 personnel.

7. Advanced Law Enforcement Rapid Response Training (ALERRT) program; Trains officers in dealing with violent situations, including those they face outside of buildings and in urban settings. Includes core classes such as ''Basic Active Shooter Level I and II,'' ''Terrorism Response Tactics—Advanced Pistol,'' ''Combat Rifle,'' ''Combat Pistol,'' ''Advanced Rifle Marksmanship,'' and ''DOD Sniped Course.''

8. Community Oriented Policing Services programs (COPS);

9. Department of Homeland Security's Federal Law Enforcement Training Center (FLETC) programs; and The Survival Shooting Training Program (SSTP) under FLETC is an eight and a half day training program that teaches law enforcement officers (LEOs) ''how to employ several types of weapon systems found in most police arsenals (the service handgun, shotgun, submachine gun and rifle). The LEOs will develop marksmanship skills as well as all pertinent gun handling skills (drawing from the holster, reloads, immediate action, movement and more) at a rapid yet controlled pace. Ultimately, the SSTP prepares the LEOs to survive a deadly force confrontation through competent decision making and confident gun handling skills.'' The Reactive Shooting Instructor Training Program (RSITP) under FLETC trains law enforcement instructors in handling their firearms to survive high-stress situations.

10. Bureau of Alcohol, Tobacco, and Firearms' National Firearms Examiner Academy programs. The training program includes training that enables state and local law enforcement officers to identify armed gunmen and increase their ''margin of safety.''

Finally, this bill gives state and local courthouses priority in obtaining excess federal security equipment for free from the Government Services Administration after a short request period is given to federal agencies. The courthouse would only pay the costs of transporting the equipment. Equipment purchased by the federal government—and thereby the American taxpayer—should be utilized by the federal government if at all possible. If not, federal agencies may have to purchase equipment they otherwise could have obtained for free but for the state and local governments taking it. Also, giving states and localities the ability to obtain this equipment for free may lead to situations where they acquire the equipment simply because it is free, not because they truly need it.

Article I, Section 8 of the Constitution enumerates the limited powers of Congress, and nowhere are we tasked with funding or becoming involved with state and local court security. I firmly believe this issue is the responsibility of the states and not the federal government. However, if Congress does act in this area, we should evaluate current programs, determine any needs that may exist, and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse, and duplication.

Congress must start making tough decisions rather than continuing to kick the can down the road, leaving our children and grandchildren to clean up the mess. It is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now over $16 trillion. That means over $50,000 in debt for each man, woman and child in the United States. A year ago, the national debt was $14.3 trillion. Despite pledges to control spending, Washington adds billions to the national debt every single day. In just one year, our national debt has grown by $1.7 trillion or 11.8%. We cannot continue to support federal funding for programs and initiatives that are not federal responsibilities as dictated by our Constitution. Otherwise, we will never get our fiscal house in order.

Sincerely,

TOM A. COBURN, M.D.,
U.S. Senator.

INTERNAL REVENUE SERVICE AND 501(c)(4) ORGANIZATIONS

Mr. LEVIN. Mr. President, our representative form of government is based on the premise that citizens who vote in our elections are informed about who is seeking to influence elections. Sadly, we continue to see that information obscured by organizations who are misusing our tax code for political gain.

As we have discussed on this floor many times, the Supreme Court opened our campaign finance system to a torrent of unlimited and secret special-interest money in Citizens United. But even the Supreme Court acknowledged in Citizens United that disclosure is important:

> ''[P]rompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters. Shareholders can determine whether their corporation's political speech advances the corporation's interest in making profits, and citizens can see whether elected officials are in the pocket of so-called moneyed interests.'' Citizens United v. FEC, 130 S. Ct. 876, 916 (2010).

Yet, according to the Center for Responsive Politics, as of September 13, spending on political advertising by groups that either do not disclose, or only partially disclose their donors, has increased four-fold, from $32 million in the 2008 election to more than $135 million at the same point in the current election.

These groups are exploiting our tax code by organizing as tax-exempt ''social welfare'' groups and then spending tens of millions of undisclosed dollars on political campaigns.

The Internal Revenue Service (IRS)—the organization that grants these groups their tax-exempt status in the first place—should be protecting the voting public from these groups that pretend to be acting in the social welfare but are instead engaging in partisan politics.

The law in this area is clear. 26 U.S.C. §501(c)(4) states that ''Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes'' are exempt from taxation. The word ''exclusively'' is in the tax code for a reason. Congress didn't say ''partially,'' or ''primarily.'' We said that these groups had to be operated ''exclusively'' for the promotion of social welfare. The IRS, in writing the implementing regulations to the statute, said that, ''An organization is operated exclusively for the promotion of social welfare if it is primarily engaged in promoting in some way the common good and general welfare.'' [emphasis added] By substituting the word ''primarily'' in the regulation with the word ''exclusively'' in the statute, the IRS essentially redefined what Congress required a social welfare organization to be.

Mr. President, I asked the IRS for an explanation as to why they have not

responded to the increasing growth of groups that parade as social welfare groups but are obviously organized for politically partisan purposes. In my letters, I asked the IRS how they interpret the explicit language in the tax code which says that entities must operate ''exclusively'' for the promotion of social welfare, to allow any tax exempt partisan political activity by 501(c)(4) organizations. Their response? That the regulation has been in place for over 50 years. That is not an excuse if new abuses require a review of an IRS regulation.

I also asked the IRS if they are fulfilling their enforcement function by notifying these groups that are obviously engaged primarily in political activity that they are violation of the law. Again, the IRS response was inadequate. During the past 6 months, according to the IRS letter, no notices of proposed or final revocation have been issued to section 501(c)(4) organizations. None. So even under the ''primarily'' test the IRS is not enforcing the law in the face of the avalanche of evidence that our laws are being flouted.

The law is clear. Even the watered-down IRS regulation is clear. It is time that the IRS enforces the law, or at least its own regulation.

I ask unanimous consent that the correspondence with the IRS be printed in the RECORD.

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

U.S. SENATE, COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,
Washington, DC, July 27, 2012.

Hon. DOUGLAS H. SHULMAN,
Commissioner, Internal Revenue Service, Washington, DC.

DEAR COMMISSIONER SHULMAN: I am writing to express my concern about how the IRS interprets the law regarding the extent to which 501(c)(4) ''social welfare'' organizations can engage in partisan political activity. The July 13, 2012 response by Lois G. Lerner, Director of Exempt Organizations, to my June 13, 2012 letter was unsatisfactory.

In the response, Ms. Lerner stated that ''The IRS takes steps to continually inform organizations of their responsibilities as social welfare organization to help them avoid jeopardizing their tax-exempt status,'' and ''*actively educates* section 501(c)(4) organizations at multiple states in their development about their responsibilities under the tax law.'' [Emphasis added.]

Her discussion does not describe an IRS initiative to ''continually inform'' or ''actively educate.'' Rather, it shows the IRS is passively making some information available once a 501(c)(4) entity is already in existence. Further, her discussion of the explanatory materials available to the public, and the materials themselves, are confusing. This leads to a predictable result: organizations are using Internal Revenue Code Section 501(c)(4) to gain tax exempt status while engaging in partisan political campaigns. There is an absurd tangle of vague and contradictory materials that the IRS provides. Making the problem worse is that the IRS knows there is a problem because of the public nature of the activity, but has failed to address it.

First, the law.

26 U.S.C. §501(c)(4) states that ''Civic leagues or organizations not organized for profit but operated *exclusively for the promotion of social welfare*, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes'' are exempt from taxation. [Emphasis added.] Merriam-Webster defines ''exclusively'' as ''single, sole; whole; undivided.'' Therefore, it would appear that the law prevents entities that organize under Section 501(c)(4)from any activity that is not operated exclusively for the promotion of social welfare or an association of employees.

Consistent with the law is a 1997 letter from the IRS denying tax-exempt status to a group called the National Policy Forum. The letter indicates that the IRS based its denial on the fact that the organization was engaged in partisan political activity, stating that ''partisan political activity does not promote social welfare as defined in section 501(c)(4),'' and that the applicant ''benefit[s] select individuals or groups, instead of the community as a whole.

One part of Internal Revenue Service Publication 557 in its guidance states, consistent with the law, that:

''If your organization is not organized for profit and will be operated *only* to promote social welfare to benefit the community, you should file Form 1024 to apply for recognition of exemption from federal income tax under section 501(c)(4).'' [Emphasis added]

Another part of Internal Revenue Service Publication 557 starts off by agreeing with the law and states, ''Promoting social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office.'' The IRS is accurately and clearly stating, in some places at least, that ''social welfare'' advocacy does not include campaigning for or against a candidate or candidates.

So far, so good—until that same Publication 557 states: ''However, if you submit proof that your organization is organized exclusively to promote social welfare, it can obtain an exemption [from taxes] even if it participates legally in some political activity on behalf of or in opposition to candidates for public office.''

That language seems inconsistent with the other referenced parts of Publication 557 (as well as being inconsistent with law and precedent), unless it means that the exemption isn't available for the political activity portion funded by 501(c)(4) receipts.

Further, an IRS regulation that interprets Section 501(c)(4) states that, ''An organization is operated exclusively for the promotion of social welfare if it is *primarily engaged* in promoting in some way the common good and general welfare of the people of the community.'' [Emphasis added.]

So the IRS regulation says the law's requirement of ''exclusively'' really means ''primarily,'' something very different from ''exclusively.''

The IRS webpage cites an internal training article which states:

'''[S]ocial welfare' is inherently an abstruse concept that continues to defy precise definition. Careful *case-by-case analyses* and close judgments are still required.'' [Emphasis added.]

Fair enough.

In its Compliance Guide for Tax-Exempt Organizations, the IRS gives direction regarding how to make a case-by-case evaluation whether a communication is political. That Guide says that the following factors indicate that an advocacy communication is political campaign activity:

The communication identifies a candidate for public office;

The timing of the communication coincides with an electoral campaign;

The communication targets voters in a particular election;

The communication identifies the candidate's position on the public policy issue that is the subject of the communication;

The position of the candidate on the public policy issue has been raised as distinguishing the candidate from others in the campaign, either in the communication itself or in other public communications; and

The communication is not part of an ongoing series of substantially similar advocacy communications by the organization on the same issue.

The guide further lays out the factors that indicate when an advocacy communication is not political campaign activity:

The absence of anyone or more of the factors listed above;

The communication identifies specific legislation, or a specific event outside the control of the organization, that the organization hopes to influence;

The timing of the communication coincides with a specific event outside the control of the organization that the organization hopes to influence, such as a legislative vote or other major legislative action (for example, a hearing before a legislative committee on the issue that is the subject of the communication);

The communication identifies the candidate solely as a government official who is in a position to act on the public policy issue in connection with the specific event (such as a legislator who is eligible to vote on the legislation); and

The communication identifies the candidate solely in the list of key or principal sponsors of the legislation that is the subject of the communication.

It is clear from the application of those factors that what is going on in the U.S. with certain 501(c)(4) organizations in their television advertisements are political campaign activities.

Below are two transcripts of advertisements that were put on television by 501(c)(4) organizations. As you can see, the subject of Advertisement #1 is a Democratic Senator, and the subject of Advertisement #2 is a Republican Senator. This is not a partisan issue.

Television Advertisement #1:

''It's time to play: Who is the biggest supporter of the Obama agenda in Ohio. It's Sherrod Brown. Brown backed Obama's agenda a whopping 95 percent of the time. He voted for budget busting ObamaCare that adds $700 billion to the deficit. For Obama's $453 billion tax increase. And even supported cap-and-trade which could have cost Ohio over 100,000 jobs. Tell Sherrod Brown, for real job growth, stop spending and cut the debt. Support the new majority agenda at newmajorityagenda.org.''

Television Advertisement #2:

''Before Wall Street gave him $200,000 in campaign cash. . . . Before he voted to let bank CEOs take millions in taxpayer funded bonuses. . . . Dean Heller was a stockbroker. No wonder he voted against Wall Street reform; against holding the big banks accountable. Heller even voted to risk your Social Security here, in the stock market. Dean Heller: he votes like he still works for Wall Street, and that's bad for you.''

Those ads, and so many like them, clearly fit the factors the IRS has laid out in its guide for what constitutes a political campaign activity. The advertisements make no pretense at nonpartisanship; they are blatantly and aggressively partisan communications.

Entities that file under Section 501(c)(4) of the Internal Revenue Code and take advantage of its tax exemption benefits should have to make a choice: either lose their exempt status (and pay taxes) or eliminate the partisan political activity.

The IRS needs to immediately review the activities of 501(c)(4) entities engaging in running partisan political ads or giving funds to Section 527 organizations that run such ads. The IRS needs to advise 501(c)(4) entities of the law in this area and the factors it will look at in reviewing 501(c)(4) status and tax exemption issues.

Please provide me with the following information no later than August 10, 2012:

1. How can the IRS interpret the explicit language in 26 U.S.C. 501(c)(4), which provides that ??510??(c)(4) entities must operate ''exclusively'' for the promotion of social welfare, to allow any tax exempt partisan political activity by 501(c)(4) organizations?

2. Since partisan political activity does not meet the IRS definition of ''promoting social welfare,'' how can an organization that participates in any partisan political activity be''organized exclusively to promote social welfare?''

3. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states: ''As in any election year, EO will continue its work to enforce the rules relating to political campaigns and campaign expenditures. In FY 2012, EO will combine what it has learned from past projects on political activities with new information gleaned from the redesigned Form 990 to focus its examination resources on serious allegations of impermissible political intervention.''

a. Typically, how long after a complaint to the IRS does a compliance review begin?

b. What approximate time does it take to review the complaint?

c. How many persons are involved in the enforcement of the 501(c)(4) rules?

4. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states that 501 (c)(4) organizations ''can declare themselves tax-exempt without seeking a determination from the IRS. EO will review organizations to ensure that thel have classified themselves correctly and that they are complying with applicable rules.''

a. Why does the IRS allow 501(c)(4) organizations to self-declare?

b. When an organization ''self declares'' as a 501(c)(4) organization, how does the IRS get notice and how long does it take the IRS to conduct the review to ensure that that organization has classified itself correctly?

5. The IRS Compliance Guide for Tax-Exempt Organizations states:

''When a 501(c)(4), (5) or (6) organization's communication explicitly advocates the election or defeat of an individual to public office, the communication is considered political campaign activity. A tax-exempt organization that makes expenditures for political campaign activities shall be subject to tax in an amount equal to its net investment income for the year or the aggreate amount expended on political campaign activities during the year, whichever is less.''

a. How does the IRS keep track of these explicit communications and ensure that the organization pays this tax?

b. What is the reason for the requirement that the tax will be based on ''whichever is less'' between its net investment income for the year or the aggregate amount expended on political campaign activities?

c. What tax would an organization have to pay if it spends all of its income on political advertising (therefore it has NO net investment income)?

6. Ms. Lerner's letter quotes the IRS webpage on Social Welfare Organizations:

''The promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office. However, a section 501(c)(4) social welfare organization may engage in *some* political activities, so long as that is not its primary activity. However, any expenditure it makes for political activities may be subject to tax under section 527(f)?'' [Emphasis added]

a. What is the statutory basis of the language that allows 501(c)(4) organizations to engage in *some* political activities?

b. How does the IRS keep track of these political activities and ensure that the organization pays the tax under section 527(f)?

7. In her July 13 letter, Ms. Lerner states that the IRS also addresses the issue of political activities in the Forms 990 and 990–EZ.

Are Forms 990 and 990–EZ made public? If so, where can they be accessed?

8. Internal Revenue Service Publication 557 states that, if a 501(c)(4) entity can ''submit proof that [the] organization is organized exclusively to promote social welfare, it can obtain an exemption even if it participates legally in some political activity on behalf of or in opposition to candidates for public office.''

Have the following 501(c)(4) organizations a) applied for; and if so, b) received the described exemption for political activity from the IRS?

a. Crossroads Grassroots Policy Strategies
b. Priorities U.S.A.
c. Americans Elect
d. American Action Network
e. Americans for Prosperity
f. American Future Fund
g. Americans for Tax Reform
h. 60 Plus Association
i. Patriot Majority USA
j. Club for Growth
k. Citizens for a Working America Inc.
l. Susan B. Anthony List

9. Have you reminded 501(c)(4)s which publicly seem to be operating in the partisan political arena as to the factors you will consider in determining whether they are engaging in partisan political activity? If not, why not?

I have enclosed a copy of Ms. Lerner's letter. If you have any questions, please contact me, or have your staff contact Kaye Meier of my staff at kaye_meier@ievin.senate.gov or 202/224–9110. Again, it is urgent that I receive your answers by August 10, 2012.

Sincerely,

CARL LEVIN,
Chairman, Permanent Subcommittee on Investigations.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC., August 24, 2012.

Hon. CARL LEVIN,
Chairman, Permanent Subcommittee on Investigations, U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: I am responding to your letter to Commissioner Shulman dated July 27, 2012, requesting additional information about section 501(c)(4) organizations. This response supplements the previous responses dated June 4, 2012 and July 13, 2012, and addresses the additional questions raised in your recent letter.

Question 1. How can the IRS interpret the explicit language in 26 U.S.C. §501(c)(4), which provides that 510(c)(4) entities must operate ''exclusively'' for the promotion of social welfare, to allow any tax exempt partisan political activity by 501(c)(4) organizations?

We note that the current regulation has been in place for over 50 years. Moreover, unlike Internal Revenue Code section 501(c)(3), which specifically provides that organizations may ''not participate in, or intervene in . . . any political campaign on behalf of (or in opposition to) any candidate for public office.''), section 501(c)(4) does not contain a specific rule or limitation on political campaign intervention by social welfare organizations.

Question 2. Since partisan political activity does not meet the IRS definition of ''promoting social welfare,'' how can an organization that participates in any partisan political activity be ''organized exclusively to promote social welfare?''

As stated above, longstanding Treasury Regulations have interpreted ''exclusively'' as used in section 501(c)(4) to mean primarily. Treasury Regulation §1.501(c)(4)–1(a)(2)(i), promulgated in 1959, provides: ''An organization is operated exclusively for the promotion of social welfare if it is primarily engaged in promoting the common good and general welfare of the people of the community.'' Applying this Treasury Regulation, Revenue Ruling 81–95, 1981–1 C.B. 332, concluded that ''an organization may carry on lawful political activities and remain exempt under section 501(c)(4) as long as it is primarily engaged in activities that promote social welfare.''

Question 3. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states: ''As in any election year, EO will continue its work to enforce the rules relating to political campaigns and campaign expenditures. In FY 2012, EO will combine what it has learned from past projects on political activities with new information gleaned from the redesigned Form 990 to focus its examination resources on serious allegations of impermissible political intervention.''

a. Typically, how long after a complaint to the IRS does a compliance review begin?

b. What approximate time does it take to review the complaint?

The IRS routinely receives examination referrals from a variety of sources including the public, media, Members of Congress or their staff, and has a longstanding process for handling referrals so that they receive an impartial, independent review from career employees. When the IRS receives a referral about a particular organization, it is promptly forwarded to the Classification unit of the Exempt Organizations (EO) Examination office in Dallas, Texas. Pursuant to IRM 4.75.5.4(1), within 30 days of receiving the referral, the Classification staff begins evaluating whether the referral has examination potential, should be considered in a future year, needs additional information to make a decision, or falls within the categories of matters that are referred for EO Referral Committee review. Although IRM 4.75.5.4(1) sets a goal of 90 days to complete reviews of referrals, the time it takes to fully review a particular referral varies, depending on such factors as the issues involved and the availability of relevant information (i.e. organization's Forms 990, external sources such as media reports, internet searches, etc.).

In those cases in which the IRS needs additional information about the subject of a referral that is not readily available, such as its Form 990 that has not been filed yet for the tax year at issue, Classification may suspend classifying the referral and places it in the follow-up category until the additional information is available. Once the additional information is received, reviewed, and supports the referral being classified as having examination potential, the referral is sent to unassigned inventory, until a revenue agent with the appropriate level of experience for the issues involved in the matter is available to conduct an examination.

Once in inventory, there are numerous factors that can affect how long it takes to

complete the examination process. While it is difficult to predict how long any single examination will take, for cases closed in FY 2011, the average time it took to close a case was 210 days.

c. How many persons are involved in the enforcement of the 501(c)(4) rules?

The Exempt Organizations (EO) function is responsible for the enforcement of section 501(c)(4) statutory rules and regulations as well as those applicable to all other types of tax-exempt organizations.

For FY 2011, the total number of EO staff was 889. Other than the 14 employees in the Director's office, the three EO offices are staffed as follows:

Rulings and Agreements (R&A), which includes EO Determinations and EO Technical, ensures organizations meet legal requirements during the application or private letter ruling process, and through guidance. In FY 2011, R&A had 332 employees.

EO Examinations (Exam) is comprised of various units, including the Classification unit, the EO Compliance Unit, and the Review of Operations unit. Exam develops processes to identify areas of noncompliance, develops corrective strategies, and coordinates with other EO functions to ensure compliance, so that organizations maintain their exempt status. In FY 2011, Exam had 531 employees.

EO Customer Education and Outreach (CE&O) coordinates, assists and supports the development of educational materials and outreach efforts for organizations to understand their responsibilities under the tax law. In FY 2011, CE&O had a staff of 12 employees.

The employees in these functions are responsible for the regulation of all types of tax-exempt organizations, including section 501(c)(4) organizations.

Question 4. The Exempt Organizations 2011 Annual Report and 2012 Work Plan states that 501(c)(4) organizations ''can declare themselves tax-exempt without seeking a determination from the IRS. EO will review organizations to ensure that they have classified themselves correctly and that they are complying with applicable rules.''

a. Why does the IRS allow 501(c)(4) organizations to self-declare?

The Internal Revenue Code expressly provides that certain tax-exempt organizations must give notice to the IRS, by filing an application for exemption, in order to claim tax-exempt status. The Internal Revenue Code does not require an organization to provide notice to the IRS to be treated as described in section 501(c)(4). By contrast, for example, Section 508 generally requires an organization to provide notice to the IRS before it will be treated as described in section 501(c)(3).

b. When an organization ''self declares'' as a 501(c)(4) organization, how does the IRS get notice and how long does it take the IRS to conduct the review to ensure that the organization has classified itself correctly?

As with other tax exempt organizations, organizations claiming to be tax-exempt under section 501(c)(4) generally are required to file a Form 990 on an annual basis.

The Exempt Organizations office of the IRS is responsible for the compliance of over one million organizations with diverse goals and purposes. In order to ensure the highest degree of compliance with tax law while working with limited resources, EO maintains a robust and multi-faceted post-filing compliance program that conducts reviews of exempt organizations in various ways, such as:

Review of Operations (ROO) reviews: Because a ROO review is not an audit, the ROO carries out its post-filing compliance work without contacting taxpayers. Instead, the ROO looks at an organization's Form 990, website, and other publicly available information to see what it is doing and whether it continues to be organized and operated for tax-exempt purposes. If it appears from a ROO review that an organization may not be compliant, the organization is referred for examination.

Compliance checks: In a compliance check, IRS contacts taxpayers by letter when we discover an apparent error on a taxpayer's return or wish to obtain further information or clarification. A compliance check is an efficient and effective way to maintain a compliance presence without an examination. We also use compliance check questionnaires to study specific parts of the tax-exempt community or specific cross-sector practices.

Examinations: Examinations, also known as audits, are authorized under Section 7602 of the Code. For exempt organizations, an examination determines an organization's continued qualification for tax-exempt status. We conduct two different types of examinations: correspondence and field.

Because the IRS cannot review every existing organization in every tax year, we use the review techniques described above to maximize our coverage of the tax exempt sector in both our general program work and our project work. The project work, which results from our strategic planning process, is designed to focus on specific areas affecting the EO sector and to direct more effective use of our resources in the effort to strengthen compliance and improve tax administration. Described in the EO 2012 Work Plan, the sections 501(c)(4), (5) and (6) Self-Declarers is one such project. This project focuses on organizations that hold themselves out as being tax-exempt rather than seeking IRS recognition of their exempt status.

Question 5. The IRS Compliance Guide for Tax-Exempt Organizations states:

''When a 501(c)(4), (5) or (6) organization's communication explicitly advocates the election or defeat of an individual to public office, the communication is considered political campaign activity. A tax-exempt organization that makes expenditures for political campaign activities shall be subject to tax in an amount equal to its net investment income for the year or the aggregate amount expended on political campaign activities during the year, whichever is less.''

a. How does the IRS keep track of these explicit communications and ensure that the organization pays this tax?

Tax-exempt organizations filing Forms 990 or 990–EZ are required to report political activities. Organizations that engage in direct or indirect political campaign activities are also required to complete Schedule C of Form 990 or 990–EZ. Organizations subject to tax under section 527(f) are required to comply with the statutory reporting and payment rules. The IRS also receives referrals regarding such activities from a variety of sources that are handled through an impartial, independent review. See the response to question 3 for the description on the IRS referral process.

b. What is the reason for the requirement that the tax will be based on ''whichever is less'' between its net investment income for the year or the aggregate amount expended on political campaign activities?

The statute under section 527(f) explicitly states that a 501(c) organization is subject to its tax based on ''an amount equal to the lesser of—(A) the net investment income of such organization for the taxable year, or (B) the aggregate amount expended during the taxable year for such an exempt function.''

c. What tax would an organization have to pay if it spends all its income on political advertising (therefore it has NO net investment income)?

Under the statute cited above, an organization that otherwise meets the requirements of section 501(c)(4) social welfare tax-exempt status, which spends all its income on political advertising and has no net investment income would not owe any tax under section 527(f). It may however, through such spending (and depending on the otherwise applicable facts of the case), no longer qualify as an organization that is tax-exempt under section 501(c)(4).

Question 6. Ms. Lerner's letter quotes the IRS webpage on Social Welfare Organizations:

''The promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office. However, a section 501(c)(4) social welfare organization may engage in *some* political activities, so long as that is not its primary activity. However, any expenditure it makes for political activities may be subject to tax under section 527(f). [Emphasis added.]

a. What is the statutory basis of the language that allows 501(c)(4) organizations to engage in some political activities?

Please see responses to questions 1 and 2, above.

b. How does the IRS keep track of these political activities and ensure that the organization pays the tax under section 527(f)?

Section 501(c)(4) organizations filing Forms 990 or 990–EZ are required to report political activities. Organizations that engage in direct or indirect political campaign activities are also required to complete Schedule C of Form 990 or 990–EZ. Organizations subject to tax under section 527(f) are required to comply with the statutory reporting and payment rules. The IRS also receives referrals regarding such activities from a variety of sources that are handled through an impartial, independent review. See the response to question 3 for the description on the IRS referral process.

Question 7. In her July 13 letter, Ms. Lerner states that the IRS also addresses the issue of political activities in the Forms 990 and 990–EZ.

Are Forms 990 and 990–EZ made public? If so, where can they be accessed?

Yes, Forms 990 and 990–EZ are made public. Tax-exempt organizations are required to make their returns widely available for public inspection. Organizations are required to allow the public to inspect the Forms 990, 990–EZ, 990–N, and 990–PF they have filed with the IRS for their three most recent tax years. Exempt organizations also are required to provide copies of these information returns when requested, or make them available on the Internet. The annual information returns also are available from the IRS, as well as from third-party sources that post them on their websites.

Question 8. Internal Revenue Services Publication 557 states that, if a 501(c)(4) entity can ''submit proof that [the] organization is organized exclusively to promote social welfare, it can obtain an exemption even if it participates legally in some political activity on behalf of or in opposition to candidates for public office.''

Have the following 501(c)(4) organizations a) applied for; and if so, b) received the described exemption for political activity from the IRS?

a. Crossroads Grassroots Policy Strategies
b. Priorities U.S.A.
c. Americans Elect
d. American Action Network
e. Americans for Prosperity
f. American Future Fund
g. Americans for Tax Reform
h. 60 Plus Association
i. Patriot Majority USA

j. Club for Growth
k. Citizens for a Working America Inc.
l. Susan B. Anthony List

Initially, to clarify, section 501(c)(4) organizations do not receive ''exemption for political activity.'' Rather, organizations are recognized under section 501 (c)(4) as tax-exempt when they demonstrate that they plan to be primarily engaged in activities that promote social welfare. If they meet that standard, the fact that they engage in other activities that do not promote social welfare, such as political campaign intervention, will not preclude recognition of their tax-exempt status. Whether an organization meets the statutory and regulatory requirements of section 501 (c)(4) depends upon all of the facts and circumstances, and no one factor is determinative.

As discussed in our response to you dated June 4, 2012, section 6103 of the Internal Revenue Code prohibits the disclosure of information about specific taxpayers unless the disclosure is authorized by some provision in the Internal Revenue Code. The IRS cannot legally disclose whether the organizations on your list have applied for tax exemption (unless and until such application is approved). Section 61 04(a) of the Code permits public disclosure of an application for recognition of tax exempt status only after the organization has been recognized as exempt.

Searching the names exactly as provided, our records show that the following organizations have been recognized by the IRS as tax exempt under section 501(c)(4).

Americans For Prosperity
American Future Fund
60 Plus Association
Patriot Majority USA
Citizens for a Working America Inc.

With respect to the other organizations for which you inquired, we will be able to determine if they have been recognized by the IRS as tax-exempt with additional information, such as an address or EIN, that specifically identifies the organization. Organizations often have similar names or maintain multiple chapters with variations of the same name. With respect to many of the other organizations you identified, numerous organizations in our records have very similar names. IRS staff can work with your staff in identifying the specific organizations for which you are interested. IRS staff is also available to assist your staff to navigate searchable databases on the IRS public website. As previously discussed, information on organizations with applications currently pending legally cannot be provided unless and until the application is approved. Please note that organizations that hold themselves out as tax-exempt without IRS recognition and organizations that have pending applications for recognition are required to file annual returns/notices.

Question 9. Have you reminded 501(c)(4)s which publicly seem to be operating in the partisan political arena as to the factors you will consider in determining whether they are engaging in partisan political activity? If not, why not?

As described in the July 13, 2012 response, the IRS takes several steps to continually educate organizations of the requirements under the tax law and inform them of their responsibilities to avoid jeopardizing their tax-exempt status. We believe these steps ensure the IRS administers the nation's tax laws in a fair and impartial manner.

I hope this information is helpful. If you have questions, please contact me or have your staff contact Catherine Barre at (202) 622–3720.

Sincerely,

STEVEN T. MILLER,
Deputy Commissioner for Services and Enforcement.

U.S. SENATE, COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS,
Washington, DC, August 31, 2012.

Hon. DOUGLAS H. SHULMAN,
Commissioner, Internal Revenue Service, Washington, DC.

DEAR COMMISSIONER SHULMAN: Thank you for the August 24, 2012 response by Steven T. Miller, Deputy Commissioner for Services and Enforcement, to my July 27, 2012 letter.

I find it unacceptable that the IRS appears to be passively standing by while organizations that hold themselves out to be ''social welfare'' organizations clearly ignore the tax code with no apparent consequences.

Frankly, the response that ''long standing Treasury Regulations have interpreted 'exclusively' '' as used in section 501(c)(4) to mean ''primarily'' and the argument that ''section 501(c)(4) does not contain a specific rule or limitation on political campaign intervention by social welfare organizations'' are not persuasive. The word ''exclusively'' as written in the statute is clear and speaks for itself. Its clarity is not diminished because the section does not mimic words in another section, which words are also clear.

As a follow-up to your letter, I would like to know the following:

1. If the IRS determines that an organization that has been given 501(c)(4) status has not engaged primarily in social welfare activities, but instead was primarily engaged in activity within the scope of section 527, what are the consequences for the organization? What are the consequences for such an organization having not filed timely Forms 8871 and 8872? Must they file such forms after the fact? What taxes would be due? Will contributions that already have been made to that organization be taxable to that organization?

2. How many 501(c)(4) organizations which appear to be primarily engaged in political activity have been notified by the IRS within the last 6 months that they may be in violation of the law?

It is urgent that I receive your answers promptly, and no later than September 10, please.

Sincerely,

CARL LEVIN,
Chairman, Permanent Subcommittee on Investigations.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, D.C., September 14, 2012.

Hon. CARL LEVIN,
Chairman, Permanent Subcommittee on Investigations, U.S. Senate, Washington, D.C.

DEAR SENATOR LEVIN: I am responding to your letter to Commissioner Shulman dated August 31,2012, requesting additional information about section 501(c)(4) organizations. This response supplements the previous responses dated June 4, 2012, July 13, 2012 and August 24, 2012, and addresses the additional questions raised in your recent letter.

Question 1. If the IRS determines that an organization that has been given 501(c)(4) status has not engaged primarily in social welfare activities, but instead was primarily engaged in activity within the scope of section 527, what are the consequences for the organization? What are the consequences for such an organization having not filed timely Forms 8871 and 8872? Must they file such forms after the fact? What taxes will be due? Will contributions that already have been made to that organization be taxable to that organization?

If an IRS audit or examination concludes that a section 501(c)(4) organization does not engage primarily in social welfare activities, the IRS may revoke the tax-exempt status of that organization. If the tax-exempt status is revoked, the organization is a taxable entity effective, in general, as of the first day of the tax year under examination. The organization is required to file Federal income tax returns, generally a Form 1120, U.S. Corporation Income Tax. The tax treatment of the organization's contributions and other income is determined under normal rules of Subtitle A.

Whether an organization no longer qualifies to be tax-exempt under section 501(c)(4) does not determine whether it is a political organization under section 527. Section 527(e)(1) defines a political organization as a party, committee, or other organization that is organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures for an exempt function (as defined in 527(e)(2)). If an organization meets this definition, then its tax status is determined under section 527.

Subject to certain exceptions, to be tax-exempt under section 527, a political organization is required to give notice electronically to the Service. The required notice form is Form 8871, Political Organization Notice of Section 527 Status. To be tax-exempt, the political organization must file Form 8871 within 24 hours after the date on which it was established. If the organization has a material change in any of the information reported on Form 8871, it must file an amended Form 8871 within 30 days of the material change to maintain its tax-exempt status. When the organization terminates its existence, it must file a final Form 8871 within 30 days of termination.

An organization that is required to file Form 8871, but fails to file on a timely basis, will not be treated as a tax-exempt political organization for any period before the date Form 8871 is filed. The taxable income of the organization for any period in which it failed to file Form 8871 (or, in the case of a material change, the period beginning with the date of the material change and ending on the date it satisfies the notice requirement) is subject to tax and must be reported on the annual income tax return Form 112Q–POL. The tax is computed by multiplying the organization's taxable income by the highest federal corporate tax rate, currently 35 percent. For purposes of computing its taxable income for any period, the organization includes its exempt function income (including contributions received, membership dues, and political fundraising receipts), minus any deductions directly connected with the production of that income, but may not deduct its exempt function expenditures for the period.

Generally, tax-exempt political organizations that have, or expect to have. contributions or expenditures exceeding $25,000 during a calendar year are required to file Form 8872, Political Organization Report of Contributions and Expenditures, beginning with the first month or quarter during the calendar year in which they accept contributions or make expenditures. A tax-exempt political organization subject to the periodic reporting requirement may choose to file Form 8872 on a monthly basis or on a quarterly/semiannual basis, but it must file on the same basis for the entire calendar year. In addition, tax-exempt political organizations that make contributions or expenditures with respect to an election for federal office as defined in 527(j)(6) may be required to file pre-election reports for that election.

A tax-exempt political organization that does not timely file the required Form 8872, or that fails to include the information required on the Form 8872. must pay an amount calculated by multiplying the amount of contributions and expenditures that are not disclosed by the highest federal corporate tax rate, currently 35 percent.

Question 2. How many 501(c)(4) organizations which appear to be primarily engaged in political activity have been notified by the IRS within the last 6 months that they may be in violation of the law?

When the IRS examines a section 501(c)(4) organization, the objective of the audit is to determine whether that organization qualifies for tax-exempt-status as a social welfare organization. As discussed in our June 4, 2012 response to your March 30, 2012 letter, that determination looks to whether the organization is primarily engaged in activities that promote social welfare, not organized or operated for profit, and the net earnings of which do not inure to the benefit of any private shareholder or individual. The examination looks at the activities engaged in during the complete taxable year at issue. Although the promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office, a section 501(c)(4) social welfare organization can engage in political activities as long as it is primarily engaged in activities that promote social welfare.

If the IRS believes that an organization does not meet the requirements under section 501(c)(4), the IRS notifies the organization of its intention to revoke the organization's exempt status, explaining the law and reasons for the proposed revocation. The organization has 30 days from the date of that letter to protest or appeal the determination before a final revocation letter is issued to the organization.

During the past six months, no notices of proposed or final revocation were issued to section 501(c)(4) organizations. Note that the IRS currently has more than 70 ongoing examinations of section 501(c)(4) organizations (this includes examinations for a variety of issues, some of which include whether the organization is primarily engaged in activities that promote social welfare). It is also important to note that the Service also maintains a determination process to review the operations of an organization to determine whether it should be recognized as tax exempt. In this area, we also review compliance with the legal requirements, including whether an organization is primary engaged in activities that promote social welfare. There are currently more than 1,600 organizations in the determination process seeking recognition as a section 501(c)(4) organization. The level of political activity is an issue in a number of these determination cases.

I hope this information is helpful. If you have questions, please contact me or have your staff contact Catherine Barre.

Sincerely,

STEVEN T. MILLER,
Deputy Commissioner for Services and Enforcement.

TRIBUTE TO JUDGE BRUCE D. BLACK

Mr. BINGAMAN. Mr. President, I want to recognize the distinguished service of my friend Bruce Black, the Chief Judge for the U.S. District Court for the District of New Mexico.

Bruce has chosen to leave the Federal bench at the end of this month. His decision to retire is a loss for our State and for the Nation. But he has served our Nation with great distinction and ability.

Bruce was appointed to be a district court judge by President Clinton in 1995. During the 17 years of his service in that position he has exemplified the integrity and high standards of fairness and impartiality which we strive for in our Federal judiciary.

Throughout his years as a Federal judge he has never lost sight of the real-life effects of the court's decisions on the lives of those who come before the court.

Bruce and his wife Mary have exciting plans for the next chapter of their lives. They are close friends to my wife Anne, and me. We wish them the very best in future years.

TRIBUTE TO JONA OLSSON

Mr. BINGAMAN. Mr. President, today I wish to recognize Jona Olsson, fire chief of the Latir Volunteer Fire Department located near Questa, NM. Olsson was recently honored as the 2012 Volunteer Fire Chief of the Year by Fire Chief for her tireless work at the Latir Volunteer Fire Department and her efforts to increase diversity in the local fire service. She was honored on August 3, 2012, during the opening session of the International Association of Fire Chiefs' Fire-Rescue International Conference and Exhibition in Denver, CO.

After moving to New Mexico in 1999, Olsson was recruited to join the Latir Volunteer Fire Department. She quickly became integrated in the fire department, rising through the ranks, serving as a training officer, deputy chief, and eventually fire and EMS chief for the department in 2006. Olsson has facilitated training to individual departments and fire conferences across North America, as well as the United Kingdom.

During tough economic times, Olsson and other volunteers have continued to expand the fire department, increasing training hours and the number of qualified volunteers. All 18 of Latir's volunteer firefighters are structure trained, 13 are qualified with wildland Red Cards, and nine have EMS licenses. The Latir Volunteer Fire Department also has an active junior firefighter program. In addition, the fire department recently built a new addition to the fire station and purchased another fire engine.

I ask that my colleagues join me in honoring Jona Olsson and the excellent work of the Latir Volunteer Fire Department. The dedication of Olsson and the community volunteers helps ensure the delivery of vital services to New Mexico residents.

HONORING OUR ARMED FORCES

Mr. LAUTENBERG. Mr. President, over 2 years have passed since I last included the names of our troops who have lost their lives serving in support of operations in Iraq and Afghanistan. I wish to honor their service and sacrifice by including their names in the CONGRESSIONAL RECORD.

Since I last included the names of our fallen troops on July 13, 2010, the Pentagon announced the deaths of 1,020 troops in Iraq and in Operation Enduring Freedom, which includes Afghanistan. They will not be forgotten, and today I ask unanimous consent that their names be printed in the RECORD.

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

CW2 Jose L. Montenegro Jr., of Houston, TX; CW2 Thalia S. Ramirez, of San Antonio, TX; PFC Shane W. Cantu, of Corunna, MI; LCpl Alec R. Terwiske, of Dubois, IN; SSG Jeremie S. Border, of Mesquite, TX; SSG Jonathan P. Schmidt, of Petersburg, VA; SPC Kyle R. Rookey, of Oswego, NY; SSG Jessica M. Wing, of Alexandria, VA; SGT Christopher J. Birdwell, of Windsor, CO; SPC Mabry J. Anders, of Baker City, OR; PFC Patricia L. Horne, of Greenwood, MS; SGT Louis R. Torres, of Oberlin, OH; SGT David V. Williams, of Frederick, MD; SFC Coater B. Debose, of State Line, MS; SGT Richard A. Essex, of Kelseyville, CA; SGT Luis A. Oliver Galbreath, of San Juan, PR; SO2 David J. Warsen, of Kentwood, MI; SO1 Patrick D. Feeks, of Edgewater, MD; PO1 Sean P. Carson, of Des Moines, WA; CW2 Suresh N. A. Krause, of Cathedral City, CA.

CW3 Brian D. Hornsby, of Melbourne, FL; PO1 Darrel L. Enos, of Colorado Springs, CO; SSgt Gregory T. Copes, of Lynch Station, VA; SPC James A. Justice, of Grover, NC; PFC Michael R. Demarsico II, of North Adams, MA; SSG Eric S. Holman, of Evans City, PA; PFC Andrew J. Keller, of Tigard, OR; SSgt Scott E. Dickinson, of San Diego, CA; Cpl Richard A. Rivera Jr., of Ventura, CA; LCpl Gregory T. Buckley, of Oceanside, NY; SSgt Sky R. Mote, of El Dorado, CA; GySgt Ryan Jeschke, of Herndon, VA; Capt Matthew P. Manoukian, of Los Altos Hills, CA; MSgt Gregory R. Trent, of Norton, MA; MAJ Thomas E. Kennedy, of West Point, NY; CSM Kevin J. Griffin, of Laramie, WY; SPC Ethan J. Martin, of Lewiston, ID; Maj Walter D. Gray, of Conyers, GA; PO3 Clayton R. Beauchamp, of Weatherford, TX; Cpl Daniel L. Linnabary II, of Hubert, NC.

1SG Russell R. Bell, of Tyler, TX; SSG Matthew S. Sitton, of Largo, FL; 1LT Todd W. Lambka, of Fraser, MI; PFC Jesus J. Lopez, of San Bernardino, CA; SPC Kyle B. McClain, of Rochester Hills, MI; LCpl Curtis J. Duarte, of Covina, CA; GySgt Jonathan W. Gifford, of Palm Bay, FL; GySgt Daniel J. Price, of Holland, MI; 1LT Sean R. Jacobs, of Redding, CA; SGT John E. Hansen, of Austin, TX; SPC Benjamin C. Pleitez, of Turlock, CA; SFC Bobby L. Estle, of Lebanon, OH; PFC Jose Oscar Belmontes, of La Verne, CA; PFC Theodore M. Glende, of Rochester, NY; Sgt Justin M. Hansen, of Traverse City, MI; SPC Justin L. Horsley, of Palm Bay, FL; PFC Brenden N. Salazar, of Chuluota, FL; PFC Adam C. Ross, of Lyman, SC; SGT Eric E. Williams, of Murrieta, CA; PFC Julian L. Colvin, of Birmingham, AL.

SSG Richard L. Berry, of Scottsdale, AZ; PO2 Michael J. Brodsky, of Tamarac, FL; SSG Brandon R. Pepper, of York, PA; SPC Darrion T. Hicks, of Raleigh, NC; PFC Jeffrey L. Rice, of Troy, OH; PO2 Joseph P. Fitzmorris, of Ruston, LA; CPO Sean P. Sullivan, of St. Louis, MO; SPC Krystal M. Fitts, of Houston, TX; Cpl Joshua R. Ashley, of Rancho Cucamonga, CA; SGT Daniel A. Rodriguez, of Baltimore, MD; SGT Jose J. Reyes, of San Lorenzo, PR; SPC Sergio E. Perez Jr., of Crown Point, IN; SPC Nicholas A. Taylor, of Berne, IN; SGT Erik N. May, of Independence, KS; SSG Carl E. Hammar, of Lake Havasu City, AZ; SGT Michael E. Ristau, of Rockford, IL; SPC Sterling W. Wyatt, of Columbia, MO; PFC Cameron J. Stambaugh, of Spring Grove, PA; PFC

Alejandro J. Pardo, of Porterville, CA; PFC Trevor B. Adkins, of Spring Lake, NC.

SPC Clarence Williams III, of Brooksville, FL; SPC Erica P. Alecksen, of Eatonton, GA; SSG Ricardo Seija, of Tampa, FL; Cpl Juan P. Navarro, of Austin, TX; SPC Jonathan Batista, of Kinnelon, NJ; SSG Raul M. Guerra, of Union City, NJ; CPT Bruce A. MacFarlane, of Oviedo, FL; PFC Cody O. Moosman, of Preston, ID; SGT Michael J. Strachota, of White Hall, AR; SSG Robert A. Massarelli, of Hamilton, OH; SGT James L. Skalberg Jr., of Cullman, AL; 1LT Stephen C. Prasnicki, of Lexington, VA; SSG Matthew J. Leach, of Ferndale, MI; LCpl Niall W. Coti-Sears, of Arlington, VA; LCpl Hunter D. Hogan, of Norman, IN; PFC Steven P. Stevens II, of Tallahassee, FL; MAJ Paul C. Voelke, of Monroe, NY; LCpl Eugene C. Mills III, of Laurel, MD; SGT Jose Rodriguez, of Gustine, CA; 1LT Ryan D. Rawl, of Lexington, SC.

SFC Matthew B. Thomas, of Travelers Rest, SC; SPC John D. Meador II, of Columbia, SC; PFC Jarrod A. Lallier, of Spokane, WA; SPC Trevor A. Pinnick, of Lawrenceville, IL; SGT Joseph M. Lilly, of Flint, MI; SGT Nicholas C. Fredsti, of San Diego, CA; SFC Barett W. McNabb, of Chino Valley, AZ; Cpl Taylor J. Braune, of Andover, MN; SPC Bryant J. Luxmore, of New Windsor, IL; PFC Nathan T. Davis, of Yucaipa, CA; MCPO Richard J. Kessler Jr., of Gulfport, FL; PFC Brandon D. Goodvine, of Luthersville, GA; Cpl Anthony R. Servin, of Moreno Valley, CA; CPT Scott P. Pace, of Brawley, CA; 1LT Mathew G. Fazzari, of Walla Walla, WA; PFC Vincent J. Ellis, of Tokyo, Japan; LCpl Jashua E. Witsman, of Covington, IN; SPC Gerardo Campos, of Miami, FL; SPC Kedith L. Jacobs, of Denver, CO; PFC Leroy Deronde III, of Jersey City, NJ.

SSG Alexander G. Povilaitis, of Dawsonville, GA; SSG Roberto Loeza, of El Paso, TX; PO2 Sean E. Brazas, of Greensboro, NC; CPL Nicholas H. Olivas, of Fairfield, OH; LCpl Steven G. Sutton, of Leesburg, GA; Sgt Julian C. Chase, of Edgewater, MD; CPT John R. Brainard, of Dover-Foxcroft, ME; CW5 John C. Pratt, of Springfield, VA; SPC Tofiga J. Tautolo, of Wilmington, CA; HN Eric D. Warren, of Shawnee, OK; Cpl Keaton G. Coffey, of Boring, OR; PFC Cale C. Miller, of Overland Park, KS; PO1 Ryan J. Wilson, of Shasta, CA; 2LT Travis A. Morgado, of San Jose, CA; SPC Arronn D. Fields, of Terre Haute, IN; SPC Samuel T. Watts, of Wheaton, IL; CPT Jesse A. Ozbat, of Prince George, VA; 2LT Tobias C. Alexander, of Lawton, OK; SGT Michael J. Knapp, of Overland Park, KS; SGT Jabruan S. Knox, of Fort Wayne, IN.

SSG Israel P. Nuanes, of Las Cruces, NM; SGT Brian L. Walker, of Lucerne Valley, CA; PFC Richard L. McNulty III, of Rolla, MO; SPC Vilmar Galarza Hernandez, of Salinas, CA; SPC Alex Hernandez III, of Round Rock, TX; Sgt Wade D. Wilson, of Normangee, TX; 1LT Alejo R. Thompson, of Yuma, AZ; PO2 Jorge Luis Velasquez, of Houston, TX; SGT Jacob M. Schwallie, of Clarksville, TN; SPC Chase S. Marta, of Chico, CA; PFC Dustin D. Gross, of Jeffersonville, KY; 2LT David E. Rylander, of Stow, OH; SPC Junot M. L. Cochilus, of Charlotte, NC; SSG Thomas K. Fogarty, of Alameda, CA; Sgt John P. Huling, of West Chester, OH; MSG Gregory L. Childs, of Warren, AR; SSG Zachary H. Hargrove, of Wichita, KS; CPT Bruce K. Clark, of Spencerport, NY; SGT Nicholas M. Dickhut, of Rochester, MN; PFC Christian R. Sannicolas, of Anaheim, CA.

M Sgt Scott E. Pruitt, of Gautier, MS; SSG Andrew T. Brittonmihalo, of Simi Valley, CA; SSG Brandon F. Eggleston, of Candler, NC; SGT Dick A. Lee, of Orange Park, FL; LT Christopher E. Mosko, of Pittsford, NY; SPC Moises J. Gonzalez, of Huntington, CA; SPC Jason K. Edens, of Franklin, TN; SPC Manuel J. Vasquez, of West Sacramento, CA; SGT Dean R. Shaffer, of Pekin, IL; SGT Chris J. Workman, of Boise, ID; CW2 Don C. Viray, of Waipahu, HI; CW2 Nicholas S. Johnson, of San Diego, CA; PFC Michael J. Metcalf, of Boynton Beach, FL; 1LT Jonathan P. Walsh, of Cobb, GA; SSgt Joseph H. Fankhauser, of Mason, TX; CPT Michael C. Braden, of Lock Haven, PA; Cpl Aaron M. Faust, of Louisville, KY; SSG David P. Nowaczyk, of Dyer, IN; SGT Tanner S. Higgins, of Yantis, TX; LCpl Abraham Tarwoe, of Providence, RI.

SPC Philip C. S. Schiller, of The Colony, TX; LCpl Ramon T. Kaipat, of Tacoma, WA; EOCN Trevor J. Stanley, of Virginia Beach, VA; SSG Tyler J. Smith, of Licking, MO; SPC Antonio C. Burnside, of Great Falls, MT; SPC Jeffrey L. White, of Catawissa, MO; Cpl Alex Martinez, of Elgin, IL; SFC Shawn T. Hannon, of Grove City, OH; SFC Jeffrey J. Rieck, of Columbus, OH; CPT Nicholas J. Rozanski, of Dublin, OH; Cpl Christopher D. Bordoni, of Ithaca, NY; SSG Christopher L. Brown, of Columbus, OH; Cpl Michael J. Palacio, of Lake Elsinore, CA; SPC James E. Dutton, of Checotah, OK; SPC David W. Taylor, of Dixon, KY; Cpl Roberto Cazarez, of Harbor City, CA; PFC Johnathon F. Davis, of Griffin, GA; Capt Francis D. Imlay, of Vacaville, CA; Sgt Joseph D'Augustine, of Waldwick, NJ; SGT William R. Wilson III, of Getzville, NY.

SGT Daniel J. Brown, of Jerome, ID; CPT Aaron D. Istre, of Vinton, LA; SPC Dennis P. Weichel Jr., of Providence, RI; SGT Jamie D. Jarboe, of Frankfort, IN; 2LT Clovis T. Ray, of San Antonio, TX; SPC Daquane D. Rivers, of Marianna, FL; SSG Jesse J. Grindley, of Hazel Green, WI; SPC Edward J. Acosta, of Hesperia, CA; SSG Jordan L. Bear, of Denver, CO; PFC Payton A. Jones, of Marble Falls, TX; Cpl Conner T. Lowry, of Chicago, IL; SSG Ahmed K. Altaie, of Ann Arbor, MI; MAJ Robert J. Marchanti II, of Baltimore, MD; Lt Col John D. Loftis, of Paducah, KY; SGT Joshua A. Born, of Niceville, FL; CPL Timothy J. Conrad Jr., of Roanoke, VA; SGT Allen R. McKenna Jr., of Noble, OK; Capt Ryan P. Hall, of Colorado Springs, CO; Capt Nicholas S. Whitlock, of Newnan, GA; 1st Lt Justin J. Wilkens, of Bend, OR.

SrA Julian S. Scholten, of Upper Marlboro, MD; PO1 Paris S. Pough, of Columbus, GA; SGT Jerry D. Reed II, of Russellville, AR; PO3 Kyler L. Estrada, of Queen Creek, AZ; LCpl Osbrany Montes De Oca, of North Arlington, NJ; PFC Cesar Cortez, of Oceanside, CA; SFC Billy A. Sutton, of Tupelo, MS; BG Terence J. Hildner, of Fairfax, VA; LCpl Edward J. Dycus, of Greenville, MS; Sgt William C. Stacey, of Redding, CA; 1LT David A. Johnson, of Horicon, WI; Capt Joshua C. Pairsh, of Equality, IL; Cpl Christopher G. Singer, of Temecula, CA; Capt Daniel B. Bartle, of Ferndale, WA; Capt Nathan R. McHone, of Crystal Lake, IL; MSgt Travis W. Riddick, of Centerville, IA; Cpl Jesse W. Stites, of North Beach, MD; Cpl Kevin J. Reinhard, of Colonia, NJ; Cpl Joseph D. Logan, of Willis, TX; Cpl Phillip D. McGeath, of Glendale, AZ.

SPC Keith D. Benson, of Brockton, MA; Cpl Jon-Luke Bateman, of Tulsa, OK; LCpl Kenneth E. Cochran, of Wilder, ID; SFC Benjamin B. Wise, of Little Rock, AR; PFC Neil I. Turner, of Tacoma, WA; PFC Michael W. Pyron, of Hopewell, VA; PFC Dustin P. Napier, of London, KY; SSG Jonathan M. Metzger, of Indianapolis, IN; SPC Robert J. Tauteris Jr., of Hamlet, IN; SPC Christopher A. Patterson, of Aurora, IL; SPC Brian J. Leonhardt, of Merrillville, IN; SrA Bryan R. Bell, of Erie, PA; TSgt Matthew S. Schwartz, of Traverse City, MI; A1C Matthew R. Seidler, of Westminster, MD; PO1 Chad R. Regelin, of Cottonwood, CA; SPC Pernell J. Herrera, of Espanola, NM; PO1 Stacy O. Johnson, of Rolling Fork, MS; SGT Noah M. Korte, of Lake Elsinore, CA; SPC Kurt W. Kern, of McAllen, TX; PFC Justin M. Whitmire, of Easley, SC.

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PFC Matthew C. Colin, of Navarre, FL; SPC David E. Hickman, of Greensboro, NC; SPC Calvin M. Pereda, of Fayetteville, NC; SFC Johnathan B. McCain, of Apache Junction, AZ; PFC Theodore B. Rushing, of Longwood, FL; PFC Cody R. Norris, of Houston, TX; LCpl Nickolas A. Daniels, of Elmwood Park, IL; 1LT Dustin D. Vincent, of Mesquite, TX; SSG Ari R. Cullers, of New London, CT; SGT Christopher D. Gailey, of Ochelata, OK; SPC Sarina N. Butcher, of Checotah, OK; LTC David E. Cabrera, of Abilene, TX; SSG Christopher R. Newman, of Shelby, NC; SGT James M. Darrough, of Austin, TX; SGT Carlo F. Eugenio, of Rancho Cucamonga, CA; SSgt Stephen J. Dunning, of Milpitas, CA; SGT John A. Lyons, of Seaside Park, NJ; SFC David G. Robinson, of Winthrop Harbor, IL; SGT Edward S. Grace, of South Dartmouth, MA; CPT Shawn P. T. Charles, of Hickory, NC.

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CPT Drew E. Russell, of Scotts, MI; SPC Ricardo Cerros Jr., of Salinas, CA; LCpl Benjamin W. Schmidt, of San Antonio, TX; Private Danny Chen, of New York, NY; 1SG Billy J. Siercks, of Velda Village, MO; SO1 Caleb A. Nelson, of Omaha, NE; SPC James A. Butz, of Porter, IN; SPC Adrian G. Mills, of Newnan, GA; SSgt Nicholas A. Sprovtsoff, of Davison, MI; Sgt Christopher Diaz, of Albuquerque, NM; 1LT Ivan D. Lechowich, of Valrico, FL; SPC Steven E. Gutowski, of Plymouth, MA; PFC David A. Drake, of Lumberton, TX; 1LT Andres Zermeno, of San Antonio, TX; LCpl John R. Wimpey Cagle, of Tucker, GA; 1stLt Ryan K. Iannelli, of Clarksboro, NJ; SPC Garrett A. Fant, of American Canyon, CA; LCpl Franklin N. Watson, of Vonore, TN; SPC Francisco J. Briseno-Alvarez Jr., of Oklahoma City, OK; SGT Tyler N. Holtz, of Dana Point, CA.

SGT Rafael E. Bigai Baez, of San Juan, PR; PFC Carlos A. Aparicio, of San

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PFC Brett E. Wood, of Spencer, IN; PO2 Brian K. Lundy, of Austin, TX; SGT Bret D. Isenhower, of Lamar, OK; SPC Christopher D. Horton, of Collinsville, OK; PFC Tony J. Potter Jr., of Okmulgee, OK; SPC Koran P. Contreras, of Lawndale, CA; PFC Douglas J. Jeffries Jr., of Springville, CA; CDR James K. Crawford, of East Concord, NY; SPC Kevin R. Shumaker, of Livermore, CA; James W. Coker, of Mount Pleasant, SC; SPC Christophe J. Marquis, of Tampa, FL; SPC Christopher J. Scott, of Tyrone, NY; SPC Dennis James Jr., of Deltona, FL; SGT Devin J. Daniels, of Kuna, ID; SGT Colby L. Richmond, of Providence, NC; PFC Alberto L. Obod, of Orlando, FL; SPC Douglas J. Green, of Sterling, VA; SPC Michael C. Roberts, of Watauga, TX; PFC Jesse W. Dietrich, of Venus, TX; PFC Brandon S. Mullins, of Owensboro, KY.

SGT Andrew R. Tobin, of Jacksonville, IL; 1LT Timothy J. Steele, of Duxbury, MA; PFC Douglas L. Cordo, of Kingston, NY; LCpl Travis M. Nelson, of Pace, FL; SPC Joshua M. Seals, of Porter, OK; SPC Dennis G. Jensen, of Vermillion, SD; 1LT Damon T. Leehan, of Edmond, OK; SGT Matthew A. Harmon, of Bagley, MN; CPL Joseph A. VanDreumel, of Grand Rapids, MI; MSG Charles L. Price III, of Milam, TX; 2LT Joe L. Cunningham, of Kingston, OK; SGT Edward J. Frank II, of Yonkers, NY; SGT Jameel T. Freeman, of Baltimore, MD; SPC Patrick L. Lay II, of Fletcher, NC; SPC Jordan M. Morris, of Stillwater, OK; PFC Rueben J. Lopez, of Williams, CA; HN Riley Gallinger-Long, of Cornelius, OR; Cpl Nicholas S. Ott, of Manchester, NJ; LCDR Jonas B. Kelsall, of Shreveport, LA; SOCM Louis J. Langlais, of Santa Barbara, CA.

SOCS Thomas A. Ratzlaff, of Green Forest, AR; EODCS Kraig M. Vickers, of Kokomo, HI; SOC Brian R. Bill, of Stamford, CT; SOC John W. Faas, of Minneapolis, MN; SOC Kevin A. Houston, of West Hyannisport, MA; SOC Matthew D. Mason, of Kansas City, MO; SOC Stephen M. Mills, of Fort Worth, TX; EODC Nicholas H. Null, of Washington, WV; SOC Robert J. Reeves, of Shreveport, LA; SOC Heath M. Robinson, of Detroit, MI; SO1 Darrik C. Benson, of Angwin, CA; SO1 Christopher G. Campbell, of Jacksonville, NC; PO1 Jared W. Day, of Taylorsville, UT; PO1 John Douangdara, of South Sioux City, NE; PO1 Michael J. Strange, of Philadelphia, PA; SO1 Jon T. Tumilson, of Rockford, IA; SO1 Aaron C. Vaughn, of Stuart, FL; SO1 Jason R. Workman, of Blanding, UT; SO1 Jesse D. Pittman, of Ukiah, CA; SO2 Nicholas P. Spehar, of Saint Paul, MN.

CW4 David R. Carter, of Centennial, CO; CW2 Bryan J. Nichols, of Hays, KS; SSG Patrick D. Hamburger, of Lincoln, NE; SGT Alexander J. Bennett, of Tacoma, WA; SPC Spencer C. Duncan, of Olathe, KS; TSgt John W. Brown, of Tallahassee, FL; SSgt Andrew W. Harvell, of Long Beach, CA; TSgt Daniel L. Zerbe, of York, PA; SGT Alessandro L. Plutino, of Pitman, NJ; Sgt Adan Gonzales Jr., of Bakersfield, CA; Sgt Joshua J. Robinson, of Omaha, NE; Sgt Daniel J. Patron, of Canton, OH; SPC Mark J. Downer, of Warner Robins, GA; SPC Jinsu Lee, of Chatsworth, CA; Sgt Daniel D. Gurr, of Vernal, UT; SGT Anthony Del Mar Peterson, of Chelsea, OK; CPT Waid C. Ramsey, of Red Bay, AL; PFC Cody G. Baker, of Holton, KS; PFC Gil I. Morales Del Valle, of Jacksonville, FL; SPC Barun Rai, of Silver Spring, MD.

SSG Kirk A. Owen, of Sapulpa, OK; SSgt Patrick R. Dolphin, of Moscow, PA; Sgt Dennis E. Kancler, of Brecksville, OH; Sgt Christopher M. Wrinkle, of Dallastown, PA; SSgt Leon H. Lucas Jr., of Wilson, NC; PFC Brice M. Scott, of Columbus, GA; SGT William B. Gross Paniagua, of Daly City, CA; 2LT Jered W. Ewy, of Edmond, OK; SPC Augustus J. Vicari, of Broken Aarow, OK; MSG Benjamin A. Stevenson, of Canyon Lake, TX; SGT Omar A. Jones, of Crook, CO; SSG James M. Christen, of Loomis, CA; SGT Jacob Molina, of Houston, TX; CPL Raphael R. Arruda, of Ogden, UT; SSG Kenneth R. Vangiesen, of Erie, PA; SGT Edward W. Koehler, of Lebanon, PA; SSG Brian K. Mowery, of Halifax, PA; LCpl Christopher L. Camero, of Kailua Kona, HI; SGT Mark A. Cofield, of Colorado Springs, CO; LCpl Jabari N. Thompson, of Brooklyn, NY.

MSG Kenneth B. Elwell, of Holland, PA; PFC Tyler M. Springmann, of Hartland, ME; SPC Daniel L. Elliot, of Youngsville, NC; CPL Frank R. Gross, of Oldsmar, FL; SSG Lex L. Lewis, of Rapid City, SD; SSG Wyatt A. Goldsmith, of Colville, WA; SGT Jeremy R. Summers, of Mount Olivet, KY; SN Aaron D. Ullom, of Midland, MI; LCpl Robert S. Greniger, of Greenfield, MN; LCpl Norberto Mendez Hernandez, of Logan, UT; SGT Christopher P. Soderlund, of Pineville, LA; SPC Rafael A. Nieves, of Albany, NY; SGT Steven L. Talamantez, of Laredo, TX; SFC Terryl L. Pasker, of Cedar Rapids, IA; SPC Nathan R. Beyers, of Littleton, CO; SPC Nicholas W. Newby, of Coeur d'Alene, ID; SSgt Thomas J. Dodds Dudley, of Tega Cay, SC; SGT Nicanor Amper IV, of San Jose, CA; SSG Joshua A. Throckmorton, of Battle Creek, MI; SPC Jordan C. Schumann, of Port Saint Lucie, FL.

SPC Preston J. Suter, of Sandy, UT; SSG Michael J. Garcia, of Bossier City, LA; CPT Matthew G. Nielson, of Jefferson, IA; SPC James A. Waters, of Cloverdale, IN; CPT David E. Van Camp, of Wheeling, WV; SPC Robert G. Tenney Jr., of Warner Robins, GA; Sgt Chad D. Frokjer, of Maplewood, MN; Cpl Kyle R. Schneider, of Phoenix, NY; SPC Nicholas P. Bernier, of East Kingston, NH; LCpl Mark R. Goyet, of Sinton, TX; LCpl John F. Farias, of New Braunfels, TX; SSG Donald V. Stacy, of Avondale, AZ; Cpl Michael C. Nolen, of Spring Valley, WI; 1LT Dimitri A. Del Castillo, of Tampa, FL; SSG Nigel D. Kelly, of Menifee, CA; SPC Kevin J. Hilaman, of Albany, CA; SSG Russell J. Proctor, of Oroville, CA; PFC Dylan J. Johnson, of Tulsa, OK; SPC Matthew R. Gallagher, of North Falmouth, MA; TSgt Daniel L. Douville, of Harvey, LA.

Gy Sgt Ralph E. Pate, of Mullins, SC; Sgt Marlon E. Myrie, of Oakland Park, FL; SPC Nicholas C. D. Hensley, of Prattville, AL; Cpl Gurpreet Singh, of Antelope, CA; SPC Levi E. Nuncio, of Harrisonburg, VA; PFC Joshua L. Jetton, of Sebring, FL; LCpl Jared C. Verbeek, of Visalia, CA; SFC Alvin A. Boatwright, of Lodge, SC; SGT Edward F. Dixon III, of Whiteman Air Force Base, MO; SSG Alan L. Snyder, of Blackstone, MA; SPC Tyler R. Kreinz, of Beloit, WI; SGT James W. Harvey II, of Toms River, NJ; PFC Gustavo A. Rios-Ordonez, of Englewood, OH; PFC Josue Ibarra, of Midland, TX; PFC Brian J. Backus, of Saginaw Township, MI; SPC Scott D. Smith, of Indianapolis, IN; SPC Marcos A. Cintron, of Orlando, FL; Sgt Mark A. Bradley, of Cuba, NY; Private Ryan J. Larson, of Friendship, WI; PFC Eric D. Soufrine, of Woodbridge, CT.

SSG Jeremy A. Katzenberger, of Weatherby Lake, MO; SSG Nicholas P. Bellard, of El Paso, TX; SGT Glenn M. Sewell, of Live Oak, TX; LCpl Jason D. Hill, of Poway, CA; LCpl Sean M. N. O'Connor, of Douglas, WY; LCpl Joshua B. McDaniels, of Dublin, OH; CPT Michael W. Newton, of Newport News, VA; LCpl Nicholas S. O'Brien, of Stanley, NC; PFC Matthew J. England, of Gainesville, MO; Cpl Matthew T. Richard, of Acadia, LA; SPC Emilio J. Campo Jr., of Madelia, MN; SPC Michael B. Cook Jr., of Middletown, OH; SPC Christopher B. Fishbeck, of Victorville, CA; SPC Robert P. Hartwick, of Rockbridge, OH; PFC Michael C. Olivieri, of Chicago, IL; Cpl William J. Woitowicz, of Middlesex, MA; Sgt Joseph M. Garrison, of New Bethlehem, PA; CW3 Kenneth R. White, of Fort Collins, CO; CW2 Bradley J. Gaudet, of Gladewater, TX; SGT Christopher R. Bell, of Golden, MS.

SGT Joshua D. Powell, of Quitman, TX; SPC Devin A. Snyder, of Cohocton, NY; SPC Robert L. Voakes Jr., of L'Anse, MI; Cpl Paul W. Zanowick II, of Miamisburg, OH; SGT Jeffrey C. S. Sherer, of Four Oaks, NC; SPC Richard C. Emmons III, of North Granby, CT; CPT Joseph W. Schultz, of Port Angeles, WA; SSG Martin R. Apolinar, of Glendale, AZ; SGT Aaron J. Blasjo, of Riverside, CA; PFC Anthony M. Nunn, of Burnet, TX; LCpl Peter J. Clore, of New Philadelphia, OH; SPC Adam S. Hamilton, of Kent, OH; PFC John C. Johnson, of Phoenix, AZ; 1LT John M. Runkle, of West Salem, OH; SSG Edward D. Mills Jr., of New Castle, PA; SSG Ergin V. Osman, of Jacksonville, NC; SGT Thomas A. Bohall, of Bel Aire, KS; SGT Louie A. Ramos Velazquez, of Camuy, PR; SPC Adam J. Patton, of Port Orchard, WA; SSgt Joseph J. Hamski, of Ottumwa, IA.

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CPT Joshua M. McClimans, of Akron, OH; Sgt David P. Day, of Gaylord, MI; SFC Bradley S. Hughes, of Newark, OH; MSG Benjamin F. Bitner, of Greencastle, PA; Sgt Sean T. Callahan, of Warrenton, VA; LCpl Dominic J. Ciaramitaro, of South Lyon, MI;

CW2 Terry L. Varnadore, of Hendersonville, NC; SSG James A. Justice, of Grimes, IA; 1LT Omar J. Vazquez, of Hamilton, NJ; PFC Antonio G. Stiggins, of Rio Rancho, NM; SGT John P. Castro, of Andrews, TX; SGT Sonny J. Moses, of Koror, PW; PFC John F. Kihm, of Philadelphia, PA; PO3 Micah Aaron Hill, of Ralston, NE; CPT Charles E. Ridgley Jr., of Baltimore, MD; SFC Charles L. Adkins, of Sandusky, OH; SSG Cynthia R. Taylor, of Columbus, GA; SGT Linda L. Pierre, of Immokalee, FL; SPC Joseph B. Cemper, of Warrensburg, MO; SPC Paul J. Atim, of Green Bay, WI.

SPC Charles J. Wren, of Beeville, TX; PFC Joel A. Ramirez, of Waxahachie, TX; SPC Joseph A. Kennedy, of St. Paul, MN; SPC Donald L. Nichols, of Shell Rock, IA; Private Brandon T. Pickering, of Fort Thomas, KY; SGT Brent M. Maher, of Council Bluffs, IA; SGT Vorasack T. Xaysana, of Westminster, CO; SSG Jose M. Caraballo Pietri, of Yauco, PR; SGT Keith T. Buzinski, of Daytona Beach, FL; SSgt Jason A. Rogers, of Brandon, MS; SN Benjamin D. Rast, of Niles, MI; SSgt Jeremy D. Smith, of Arlington, TX; SPC Gary L. Nelson III, of Woodstock, GA; SSG Quadi S. Hudgins, of New Orleans, LA; SGT Christian A. S. Garcia, of Goodyear, AZ; SSG Scott H. Burgess, of Franklin, TX; SSG Michael S. Lammerts, of Tonawanda, NY; MAJ Wesley J. Hinkley, of Carlisle, PA; SGT Jorge A. Scatliffe, of St. Croix, VI; 1LT Robert F. Welch III, of Denton, TX; LCpl Harry Lew, of Santa Clara, CA.

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PFC Arturo E. Rodriguez, of Bellflower, CA; Cpl Ian M. Muller, of Danville, VT; SFC Dae Han Park, of Watertown, CT; PFC Andrew M. Harper, of Maidsville, WV; SSG Eric S. Trueblood, of Alameda, CA; CPL Loren M. Buffalo, of Mountain Pine, AR; SPC Andrew P. Wade, of Antioch, IL; SPC Kalin C. Johnson, of Lexington, SC; SSG Mark C. Wells, of San Jose, CA; Cpl Jordan R. Stanton, of Rancho Santa Margarita, CA; SPC Jason M. Weaver, of Anaheim, CA; SrA Nicholas J. Alden, of Williamston, SC; SSG Chauncy R. Mays, of Cookville, TX; SPC Christopher G. Stark, of Monett, MO; SPC Rudolph R. Hizon, of Los Angeles, CA; SPC David R. Fahey Jr., of Norwalk, CT; SGT Kristopher J. Gould, of Saginaw, MI; SPC Brian Tabada, of Las Vegas, NV; CPL Andrew C. Wilfahrt, of Rosemount, MN; SSG Jerome Firtamag, of Pohnpei, FM; Cpl Johnathan W. Taylor, of Homosassa, FL.

1LT Daren M. Hidalgo, of Waukesha, WI; SGT Robert C. Sisson Jr., of Aliquippa, PA; LCpl Andrew P. Carpenter, of Columbia, TN; SSG Bradley C. Hart, of Perrysburg, OH; A1C Christoffer P. Johnson, of Clarksville, TN; Sgt Matthew J. Deyoung, of Talent, OR; SPC Jonathan A. Pilgeram, of Great Falls, MT; A1C Corey C. Owens, of San Antonio, TX; SGT Lashawn D. Evans, of Columbia, SC; SPC Nathan B. Carse, of Harrod, OH; SGT Patrick R. Carroll, of Norwalk, OH; LCpl Aaron M. Swanson, of Jamestown, NY; Cpl Lucas T. Pyeatt, of West Chester, OH; SPC Ryan A. Gartner, of Dumont, NJ; SPC Omar Soltero, of San Antonio, TX; SPC Joshua R. Campbell, of Bennett, CO; SPC Shawn A. Muhr, of Coon Rapids, IA; SFC Anthony Venetz Jr., of Prince William, VA; TSgt Leslie D. Williams, of Juneau, AK; PFC Amy R. Sinkler, of Chadbourn, NC.

PO2 Dominique Cruz, of Panama City, FL; Sgt Jason G. Amores, of Lehigh Acres, FL; SPC Joshua T. Lancaster, of Millbrook, AL; MAJ Michael S. Evarts, of Concord, OH; Cpl Joseph C. Whitehead, of Axis, AL; SGT Michael P. Bartley, of Barnhill, IL; SPC Martin J. Lamar, of Sacramento, CA; SPC Jose A. Torre Jr., of Garden Grove, CA; PFC Zachary S. Salmon, of Harrison, OH; MAJ Evan J. Mooldyk, of Ranch Murieto, CA; SGT Zainah C. Creamer, of Texarkana, TX; SSG Omar Aceves, of El Paso, TX; CPL Jarrid L. King, of Erie, PA; SPC Benjamin G. Moore, of Robbinsville, NJ; PFC Robert J. Near, of Nampa, ID; SGT Ethan C. Hardin, of Fayetteville, AR; PFC Ira B. Laningham IV, of Zapata, TX; SFC Robert W. Pharris, of Seymour, MO; SPC Christian J. Romig, of Kenner, LA; LCpl Joseph R. Giese, of Winder, GA.

SGT Eric M. Nettleton, of Wichita, KS; SGT Jose M. Cintron Rosado, of Vega Alta, PR; SPC Jose A. Delgado Arroyo, of San Juan, PR; Cpl Jacob A. Tate, of Columbus, OH; LCpl Maung P. Htaik, of Hagerstown, MD; SGT Michael J. Beckerman, of Genevieve, MO; Cpl Tevan L. Nguyen, of Hutto, TX; Sgt Garrett A. Misener, of Cordova, TN; LCpl Kenneth A. Corzine, of Bethalto, IL; LCpl William H. Crouse IV, of Woodruff, SC; PFC Conrado D. Javier, of Marina, CA; Cpl Eric M. Torbert Jr., of Lancaster, PA; Cpl Sean A. Osterman, of Princeton, MN; LCpl Jose L. Maldonado, of Mathis, TX; SPC Sean R. Cutsforth, of Radford, VA; LCpl Jose A. Hernandez, of West Palm Beach, FL; SSgt Justin E. Schmalstieg, of Pittsburgh, PA; CPL Sean M. Collins, of Ewa Beach, HI; CPL Willie A. McLawhorn Jr., of Conway, NC; CPL Patrick D. Deans, of Orlando, FL.

CPL Kenneth E. Necochea Jr., of San Diego, CA; CPL Derek T. Simonetta, of Redwood City, CA; CPL Jorge E. Villacis, of Sunrise, FL; SSgt Stacy A. Green, of Alexander City, AL; SPC Ethan L. Goncalo, of Fall Rivers, MA; PFC David D. Finch, of Bath Springs, TN; SGT James A. Ayube II, of Salem, MA; SPC Kelly J. Mixon, of Yulee, FL; LCpl Michael E. Geary, of Derry, NH; Sgt Jason D. Peto, of Vancouver, WA; SSG Vincent W. Ashlock, of Seaside, CA; PFC Colton W. Rusk, of Orange Grove, TX; Cpl Derek A. Wyatt, of Akron, OH; Sgt Nicholas J. Aleman, of Brooklyn, NY; SSG Jason A. Reeves, of Odessa, TX; LCpl Lucas C. Scott, of Peebles, OH; SFC James E. Thode, of Kirtland, NM; Sgt Matthew T. Abbate, of Honolulu, HI; Cpl Chad S. Wade, Bentonville, AR; SFC Barry E. Jarvis, of Tell City, IN.

SSG Curtis A. Oakes, of Athens, OH; SPC Matthew W. Ramsey, of Quartz Hill, CA; PFC Jacob A. Gassen, of Beaver Dam, WI; PFC Austin G. Staggs, of Senoia, GA; PFC Buddy W. McLain, of Mexico, ME; Lt Col Gwendolyn A. Locht, of Fort Walton Beach, FL; 1LT Scott F. Milley, of Sudbury, MA; Private Devon J. Harris, of Mesquite, TX; 1stLT William J. Donnelly IV, of Picayune, MS; LCpl Ardenjoseph A. Buenagua, of San Jose, CA; SSG Sean M. Flannery, of Wyomissing, PA; SPC William K. Middleton, of Norfolk, VA; SGT David S. Robinson, of Fort Smith, AR; SGT David J. Luff Jr., of Hamilton, OH; SSG Loleni W. Gandy, of Pago Pago, AS; Sgt Jason T. Smith of Colorado Springs, CO; SGT Justin E. Culbreth, of Colorado Springs, CO; PFC Kyle M. Holder, of Conroe, TX; SSG David P. Senft, of Grass Valley, CA.

SPC Shane H. Ahmed, of Chesterfield, MI; SPC Nathan E. Lillard, of Knoxville, TN; SPC Scott T. Nagorski, of Greenfield, WI; SPC Jesse A. Snow, of Fairborn, OH; PFC Christian M. Warriner, of Mills River, NC; SSgt Javier O. Ortiz Rivera, of Rochester, NY; SSG Kevin M. Pape, of Fort Wayne, IN; SSG Juan L. Rivadeneira, of Davie, FL; CPL Jacob R. Carver, of Freeman, MO; SPC Jacob C. Carroll, of Clemmons, NC; SPC David C. Lutes, of Frostburg, MD; SPC Shannon Chihuahua, of Thomasville, GA; SGT Edward H. Bolen, of Chittenango, NY; CPL Shawn D. Fannin, of Wheelersburg, OH; SrA Andrew S. Bubacz, of Dalzell, SC; LCpl Dakota R. Huse, of Greenwood, LA; LCpl James B. Stack, of Arlington Heights, IL; 2ndLt Robert M. Kelly, of Tallahassee, FL; SGT Jason J. McCluskey, of McAlester, OK; CPL Andrew L. Hutchins, of New Portland, ME.

SPC Anthony Vargas, of Reading, PA; SGT Aaron B. Cruttenden, of Mesa, AZ; SPC Dale J. Kridlo, of Hughestown, PA; LCpl Randy R. Braggs, of Sierra Vista, AZ; SSgt Jordan B. Emrick, of Hoyleton, IL; PFC Shane M. Reifert, of Cottrellville, MI; LCpl Brandon W. Pearson, of Arvada, CO; LCpl Matthew J. Broehm, of Flagstaff, AZ; SGT Michael F. Paranzino, of Middletown, RI; SPC Blake D. Whipple, of Williamsville, NY; CPL James C. Young, of Rochester, IL; SFC Todd M. Harris, of Tuscon, AZ; 1stLT James R. Zimmerman, of Aroostook, ME; SPC Jonathan M. Curtis, of Belmont, MA; PFC Andrew N. Meari, of Plainfield, IL; CPL Brett W. Land, of Wasco, CA; SGT Diego A. Solorzano Valdovinos, of Huntington Park, CA; SPC Pedro A. Maldonado, of Houston, TX; SSG Adam L. Dickmyer, of Winston Salem, NC; LCpl Terry E. Honeycutt Jr., of Waldorf, MD.

SGT Michael D. Kirspel Jr., of Hopatcong, NJ; SFC Phillip C. Tanner, of Sheridan, WY; PFC David R. Jones, of Saint Johnsville, NY; SPC Thomas A. Moffitt, of Wichita, KS; SSG Aracely Gonzalez O'Malley, of Brawley, CA; SFC Charles M. Sadell, of Columbia, MO; SPC Steven L. Dupont, of Lafayette, LA; SPC Ronnie J. Pallares, of Rancho Cucamonga, CA; SSG Kenneth K. McAninch, of Logansport, IN; SPC Gerald R. Jenkins, of Circleville, OH; SSgt Joshua J. Cullins, of Simi Valley, CA; LCpl Francisco R. Jackson, of Elizabeth, NJ; Cpl Jorge Villarreal Jr., of San Antonio, TX; Sgt Ian M. Tawney, of Dallas, OR; PFC Dylan T. Reid, of Springfield, MO; LCpl James D. Boelk, of Oceanside, CA; LCpl Joseph C. Lopez, of Rosamond, CA; SSG Carlos A. Benitez, of Carrollton, TX; SPC Rafael Martinez Jr., of Spring Valley, CA; PFC Tramaine J. Billingsley, of Portsmouth, VA.

SGT Eric C. Newman, of Waynesboro, MS; LCpl Alec E. Catherwood, of Bryon, IL; LCpl Irvin M. Ceniceros, of Clarksville, AR; PFC Jordan M. Byrd, of Grantsville, UT; Cpl Justin J. Cain, of Manitowoc, WI; LCpl Phillip D. Vinnedge, of Saint Charles, MO; LCpl Joseph E. Rodewald, of Albany, OR; PFC Victor A. Dew, of Granite Bay, CA; LCpl Raymon L. A. Johnson, of Midland, GA; SPC Matthew C. Powell, of Slidell, LA; SSG David J. Weigle, of Philadephia, PA; SPC David A. Hess, of Ruskin, FL; Sgt Frank R. Zaehringer III, of Reno, NV; LCpl John T. Sparks, of Chicago, IL; HM2 Edwin Gonzalez, of North Miami Beach, FL; Cpl Stephen C. Sockalosky, of Cordele, GA; LCpl Scott A. Lynch, of Greenwood Lake, NY; PFC Ryane G. Clark, of New London, MN; SGT Karl A. Campbell, of Chiefland, FL; PFC Cody A. Board, of McKinney, TX.

SrA Daniel J. Johnson, of Schiller Park, IL; SGT Brian J. Pedro, of Rosamond, CA; SPC Joseph T. Prentler, of Fenwick, MI; SFC Lance H. Vogeler, of Frederick, MD; Sgt Anthony D. Matteoni, of Union City, MI; SSG Willie J. Harley Jr., of Aiken, SC; SPC Luther W. Rabon Jr., of Lexington, SC; SFC Calvin B. Harrison, of San Antonio, TX; SGT

Justin A. Officer, of Wichita, KS; LCpl Timothy M. Jackson, of Corbin, KY; SrA Mark Forester, of Tuscaloosa, AL; LCpl Ralph J. Fabbri, of Gallitzin, PA; SGT Mark A. Simpson, of Peoria, IL; SPC Donald S. Morrison, of Cincinnati, OH; PFC William B. Dawson, of Tunica, MS; PFC Jaysine P. S. Petree, of Yigo, GU; SPC Marc C. Whisenant, of Holly Hill, FL; SPC John Carrillo Jr., of Stockton, CA; PFC Gebrah P. Noonan, of Watertown, CT; PFC Clinton E. Springer II, of Sanford, ME.

LCpl Anthony J. Rosa, of Swanton, VT; LTC Robert F. Baldwin, of Muscatine, IA; CWO Matthew G. Wagstaff, of Orem, UT; CWO Jonah D. McClellan, of St. Louis Park, MN; SSG Joshua D. Powell, of Pleasant Plains, IL; SGT Marvin R. Calhoun Jr., of Elkhart, IN; LT Brendan J. Looney, of Owings, MD; SCPO David B. McLendon, of Thomasville, GA; SO2 Adam O. Smith, of Hurland, MO; SO3 Denis C. Miranda, of Toms River, NJ; SrA Michael J. Buras, of Fitzgerald, GA; PFC Joshua S. Ose, of Hernando, MS; SPC Joshua A. Harton, of Bethlehem, PA; MAJ Paul D. Carron, of Union, MO; PFC Barbara Vieyra, of Mesa, AZ; SPC Timothy L. Johnson, of Randolph, NY; SFC Ronald A. Grider, of Brighton, IL; 1LT Eric Yates, of Rineyville, KY; SSG Jaime C. Newman, of Richmond, VA; 1stLT Scott J. Fleming, of Marietta, GA.

SPC Deangelo B. Snow, of Saginaw, MI; SrA Daniel R. Sanchez, of El Paso, TX; SGT Aaron K. Kramer, of Salt Lake City, UT; SGT John F. Burner III, of Baltimore, MD; SrA James A. Hansen, of Athens, MI; SGT Ryan J. Hopkins, of Livermore, CA; 1LT Todd W. Weaver, of Hampton, VA; Cpl John C. Bishop, of Columbus, IN; SGT Philip C. Jenkins, of Decatur, IN; PVT James F. McClamrock, of Huntersville, NC; Sgt Jesse M. Balthaser, of Columbus, OH; Cpl Philip G. E. Charte, of Goffstown, NH; LCpl Ross S. Carver, of Rocky Point, NC; CPT Jason T. McMahon, of Mulvane, KS; PFC Diego M. Montoya, of San Antonio, TX; SSG Vinson B. Adkinson III, of Harper, KS; SGT Raymond C. Alcaraz, of Redlands, CA; PFC Matthew E. George, of Gransboro, NC; PFC James A. Page, of Titusville, FL; LCpl Joshua T. Twigg, of Indiana, PA.

1LT Mark A. Noziska, of Papillon, NE; SSG Casey J. Grochowiak, of Lompoc, CA; LCpl Christopher B. Rodgers, of Griffin, GA; LCpl Cody A. Roberts, of Boise, ID; Sgt Joseph A. Bovia, of Kenner, LA; CPT Dale A Goetz, of White, SD; SSG Jesse Infante, of Cypress, TX; SSG Kevin J. Kressler, of Canton, OH; SSG Matthew J. West, of Conover, WI; PFC Chad D. Clements, of Huntington, IN; SGT Patrick K. Durham, of Chattanooga, TN; SPC Andrew J. Castro, of Westlake Village, CA; Gy Sgt Floyd E. C. Holley, of Casselberry, FL; CPT Ellery R. Wallace, of Salt Lake City, UT; PFC Bryn T. Raver, of Harrison, AR; SPC Chad D. Coleman, of Moreland, GA; Private Adam J. Novak, of Prairie du Sac, WI; SPC James C. Robinson, of Lebanon, OH; SSG James R. Ide, of Festus, MO; MSgt Daniel L. Fedder, of Pine City, MN.

PO3 James M. Swink, of Yucca Valley, CA; SPC Justin B. Shoecraft, of Elkhart, IN; LCpl Robert J. Newton, of Creve Coeur, IL; Sgt Ronald A. Rodriguez, of Falls Church, VA; SGT Steven J. Deluzio, of South Glastonbury, CT; SPC Tristan H. Southworth, of West Danville, VT; SPC Pedro A. Millet Meletiche, of Elizabeth, NJ; Sgt Jason D. Calo, of Lexington, KY; SGT Brandon E. Maggart, of Kirksville, MO; PFC Alexis V. Maldonado, of Wichita Falls, TX; LCpl Nathaniel J. A. Schultz, of Safety Harbor, FL; SPC Christopher S. Wright, of Tollesboro, KY; LCpl Cody S. Childers, of Chesapeake, VA; Cpl Christopher J. Boyd, of Palatine, IL; SOC Collin Thomas, of Morehead, KY; SGT Martin A. Lugo, of Tucson, AZ; SFC Edgar N. Roberts, of Hinesville, GA; LCpl Kevin E. Oratowski, of Wheaton, IL; PFC Benjamen G. Chisholm, of Fort Worth, TX.

Private Charles M. High IV, of Albuquerque, NM; SSG Derek J. Farley, of Nassau, NY; SPC Jamal M. Rhett, of Palmyra, NJ; SSgt Michael A. Bock, of Leesburg, FL; Cpl Kristopher D. Greer, of Ashland City, TN; SGT Christopher N. Karch, of Indianapolis, IN; Sgt Jose L. Saenz III, of Pleasanton, TX; PFC John E. Andrade, of San Antonio, TX; PFC Paul O. Cuzzupe, of Plant City, FL; LCpl Kevin M. Cornelius, of Ashtabula, OH; PFC Vincent E. Gammone III, of Christiana, TN; SGT Andrew C. Nicol, of Kensington, NH; PFC Bradley D. Rappuhn, of Grand Ledge, MI; SPC Faith R. Hinkley, of Colorado Springs, CO; Cpl Max W. Donahue, of Highlands Ranch, CO; MSG Jared N. Van Aalst, of Laconia, NH; SGT Kyle B. Stout, of Texarkana, TX; SPC Michael L. Stansbery, of Mount Juliet, TN; CPT Jason E. Holbrook, of Burnet, TX; SSG Kyle R. Warren, of Manchester, NH.

LCpl Shane R. Martin, of Spring, TX; PO3 Jarod Newlove, of Renton, WA; LCpl Abram L. Howard, of Williamsport, PA; PO2 Justin McNeley, of Wheatridge, CO; LCpl Frederik E. Vazquez, of Melrose Park, IL; SSG Conrad A. Mora, of San Diego, CA; SGT Daniel Lim, of Cypress, CA; SPC Joseph A. Bauer, of Cincinnati, OH; SPC Andrew L. Hand, of Enterprise, AL; LtCol Mario D. Carazo, of Springfield, OH; Maj James M. Weis, of Toms River, NJ; PFC James J. Oquin, of El Paso, TX; 1LT Michael L. Runyan, of Newark, OH; Cpl Joe L. Wrightsman, of Jonesboro, LA; Cpl Julio Vargas, of Sylmar, CA; SSG Brian F. Piercy, of Clovis, CA; Cpl Paul J. Miller, of Traverse City, MI; SGT Jesse R. Tilton, of Decatur, IL; SGT Anibal Santiago, of Belvidere, IL; 1LT Robert N. Bennedsen, of Vashon, WA; Gy Sgt Christopher L. Eastman, of Moose Pass, AK.

SGT Justin B. Allen, of Coal Grove, OH; SSgt Justus S. Bartelt, of Polo, IL; Cpl Dave M. Santos, of Rota, MP; SFC John H. Jarrell, of Brunson, SC; SSG Leston M. Winters, of Sour Lake, TX; SGT Matthew W. Weikert, of Jacksonville, IL; SPC Chase Stanley, of Napa, CA; SPC Jesse D. Reed, of Orefield, PA; SPC Matthew J. Johnson, of Maplewood, MN; SSG Zachary M. Fisher, of Ballwin, MO; 1LT Christopher S. Goeke, of Apple Valley, MN; SSG Christopher T. Stout, of Worthville, KY; SSG Sheldon L. Tate, of Hinesville, GA; PVT Brandon M. King, of Tallahassee, FL; SPC Christopher J. Moon, of Tucson, AZ; SSG Shaun M. Mittler, of Austin, TX; SPC Nathaniel D. Garvin, of Radcliff, KY; SPC Carlos J. Negron, of Fort Meyers, FL; LCpl Tyler A. Roads, of Burney, CA; LCpl Daniel G. Raney, of Pleasant View, TN; SSgt Christopher J. Antonik, of Crystal Lake, IL.

We cannot forget these men and women and their great sacrifice. These brave individuals left behind parents, spouses, children, siblings, and friends. We want them to know this country pledges to preserve the memory of our fallen soldiers who gave their lives for our country.

RECOGNIZING SOLON ELEMENTARY SCHOOL

Ms. COLLINS. Mr. President, I am delighted to commend the Solon Elementary School of Solon, ME, on being named a 2012 National Blue Ribbon School of Excellence. This prestigious recognition of high accomplishment was bestowed by Secretary of Education Arne Duncan.

Created in 1982, the Blue Ribbon Schools award is considered the highest honor an American school can obtain. Schools singled out for this national recognition reflect the goals of our Nation's education reforms for high standards and accountability. Specifically, the Blue Ribbon Schools Program is designed to honor public and private schools that are either academically superior in their States or that demonstrate dramatic gains in student achievement.

This award recognizes that Solon Elementary students achieve at the highest level academically. Solon Elementary School is a top-performing school on State-required assessments, and staff at the school use assessments throughout the academic year as a tool for improving and customizing instruction. The school works closely with families to forge a strong school community where students are connected and encouraged to pursue their interests.

I applaud not only the students, but also the administrators, teachers, staff, and parents of Solon Elementary School. Together, they are succeeding in their mission to generate momentum for learning. They are making a difference in the lives of their students, helping them reach their full potential as independent, responsible learners and engaged citizens.

I am pleased that the U.S. Department of Education has selected Solon Elementary School for this well-deserved honor, and I congratulate the entire community for this outstanding achievement.

RECOGNIZING HOPE ELEMENTARY SCHOOL

Ms. COLLINS. Mr. President, I am delighted to commend the Hope Elementary School of Hope, ME, on being named a 2012 National Blue Ribbon School of Excellence. This prestigious recognition of high accomplishment was bestowed by Secretary of Education Arne Duncan.

Created in 1982, the Blue Ribbon Schools award is considered the highest honor an American school can obtain. Schools singled out for this national recognition reflect the goals of our Nation's education reforms for high standards and accountability. Specifically, the Blue Ribbon Schools Program is designed to honor public and private schools that are either academically superior in their States or that demonstrate dramatic gains in student achievement.

This award recognizes that Hope Elementary students achieve at the highest level academically. Hope Elementary School is a top-performing school on State-required assessments, and staff at the school use assessments throughout the academic year as a tool for improving and customizing instruction. The school works closely with families to forge a strong school community where students are connected

and encouraged to pursue their interests.

I applaud not only the students, but also the administrators, teachers, staff, and parents of Hope Elementary School. Together, they are succeeding in their mission to generate confidence and momentum for learning. They are making a difference in the lives of their students, helping them reach their full potential as independent, responsible learners and as engaged citizens.

I am pleased that the U.S. Department of Education has selected Hope Elementary School for this well-deserved honor, and I congratulate the entire community for this outstanding achievement.

U.S. ARMY'S SUICIDE STAND DOWN DAY

Mrs. BOXER. Mr. President, I rise today during Suicide Prevention Month to recognize the Army's Suicide Stand Down Day, which will take place later this month on September 27, 2012.

The stand down is an opportunity for the Army to take a hard look at current efforts to address the issue of suicide among soldiers and focus on ways to improve these efforts. It will emphasize eliminating the stigma surrounding mental health injuries, which too often prevents our service men and women from getting the help they need.

This could not come at a more critical time. The incidence of suicide among our troops has skyrocketed to alarming levels due, in part, to over 10 years of repeated and protracted deployments to combat zones around the world. In fact, the Army experienced a record-high 38 Active-Duty suicides in July and is on track to surpass last year's total. This is absolutely tragic and requires urgent and sustained action.

The central theme of the stand down is ''Shoulder to Shoulder: We Stand up for Life.'' This is such a critical message—our servicemembers should never have to suffer alone. Our military men and women make tremendous sacrifices each and every day in service to our Nation, and we have a sacred obligation to take care of them in return. This means ensuring they feel comfortable seeking the care that they need without fear or repercussion or being stigmatized. This also means improving access to mental health care and providing support for our military families.

While there is no single solution to preventing military suicide, efforts like the Army's Suicide Stand Down Day are important steps because they provide an opportunity to have a frank conversation across all levels of leadership about the profound stressors our troops are experiencing.

I strongly encourage all branches of our military to continue to review and improve their suicide prevention programs because it is clear that more must be done and that it must be done now.

Suicide reaches far beyond one individual—it devastates entire families and affects communities. Our military families are resilient and they display incredible courage in the face of so many unique challenges, but no one person or family can be strong all the time.

That is why we must continue to do everything in our power to send the message to our servicemembers, veterans, and their families that it is OK to ask for help and that the care and support they need is waiting for them.

I urge our citizens, our government, and our Nation to continue to stand shoulder to shoulder with our Armed Forces and recommit ourselves to stemming the tide of military suicide once and for all because we can all agree that one suicide is one too many.

REPORT ON THE NATIONAL ELECTION IN TAIWAN

Ms. MURKOWSKI. Mr. President, in August I submitted a resolution expressing the sense of the Senate that the U.S. Government should continue to support democracy and human rights in Taiwan following the January 2012 Presidential and legislative elections. The International Election Observers Mission has prepared a Report on the National Election in Taiwan that includes some important details and findings. I ask unanimous consent that the summary of that report be printed in the RECORD.

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

REPORT ON THE NATIONAL ELECTION IN TAIWAN, JANUARY 14, 2012

To: International Committee for Fair Elections in Taiwan

From: The International Election Observers Mission (IEOM)

By: Woodrow W. Clark II MA, PhD, Lead Author and Senator Frank Murkowski, Chair and all IEOM Members.

OVERVIEW

Taiwan is an island nation of 23.2 million people (November 2011) in an area of 35,980 sq. km. The nation has 18.1 million eligible voters, all citizens who are 20 or more years of age. The winner of the January 14, 2012 Presidential Election, with 51.6 per cent of the vote, was Mr. Ma Ying-jeou, the incumbent and the nominee, Chinese Nationalist Party (Kuomintang or KMT). Ms. Tsai Ing-wen of the opposition Democratic Progressive Party (DPP) followed with 45.6 per cent and the nominee of the small People First Party (PFP), Mr. James Soong received about 2.8 per cent of the vote (Taiwan Election Results, January 2012).

At the same time, voters also elected the 113 members of the national parliament, the Legislative Yuan. The KMT won 64 seats, while the DPP won 40 seats and the PFP, the Taiwan Solidarity Union (TSU) and non-partisan independent candidates each won three seats. Compared with the 2008 legislative election, the KMT won 17 fewer seats, the DPP gained 13 additional seats, the PFP won two additional seats and the TSU, with its three seats, returned to the legislature after a four-year absence.

POLITICAL BACKGROUND

Taiwan experienced a long political struggle during the authoritarian era. Democracy in Taiwan only began after the death of President Chiang Ching-kuo in January 1988 and the accession of Lee Teng-hui to the presidency. The political system is not divided between ''left'' and ''right,'' though the DPP does place somewhat more emphasis on ''social justice.'' Instead, ''the primary political cleavage between the political parties has been and remains the issue of national identity, often referred to as the 'unification-independence' issue'' (Taiwan Elections Handbook, 2012: p.13), or between the ''pan-blue'' alliance (Kuomintang and associated parties) and the ''pan-green'' alliance (DPP and aligned parties).

Mr. Ma's percentage of the vote fell from the 58 per cent he gained four years earlier and, as indicated earlier, the new KMT majority in the legislature was much less than the huge victory, which it won in 2008 (Cole, March 9, 2012).

THE INTERNATIONAL ELECTION OBSERVER MISSION (IEOM)

Eighteen (18) observers from seven countries were invited by the International Committee for Fair Elections in Taiwan (ICFET) to form an International Election Observation Mission (IEOM) for the January 2012 Presidential and Legislative elections in Taiwan. See the list of members of the IEOM below in Table 1.

The group consisted of observers from Australia, Canada, Denmark, France, Japan, Sweden, the Netherlands, and the United States, ranging in experiences from academia, elected representatives, religious groups, businesses, and civil society. As observers, the IEOM members tried to be strictly neutral in all their activities, data gathering, and conclusions.

Most members of the IEOM were in Taiwan from January 10–15, 2012. Members visited locations in Taipei, Kaohsiung, Tainan, and Taichung. As a group, they met with campaign organizers, staff, and candidates from the three political parties running presidential tickets: the Democratic Progressive Party (DPP), the Chinese Nationalist Party (KMT), and the People First Party (PFP). Then, on the day before the election (January 13, 2012) and during Election Day (January 14, 2012), the IEOM split into smaller groups of 2–4 members who observed political rallies, street campaigns, and polling station as well as the Central Election Commission counting center on Election Day.

This report consists of direct IEOM observations by its members as well as other sources, including the Taiwan and international press as well as post-election news sources in Chinese and English. Other observer groups were also present in Taiwan.

One other neutral observation group, the Asian Network for Free Elections Foundation (ANFREL), headquartered in Bangkok, Thailand, deserves special mention. ANFREL produced an Observers Report (entitled ''Credible Elections but a Tilted Playing Field'') after the Election that corresponds with many IEOM observations as well as our Press Release and this Report. The ANFREL Report (2012) will be cited herein.

FULL REPORT

The full report of the IEOM was published in Taiwan on June 11th 2012, and is available on the website of the International Committee for Fair Elections in Taiwan (ICFET) at: http://www.taiwanelections.org/wp-content/uploads/2012/08/Taiwan-2012–Elections-IEOM-Final-Report.pdf

KEY SECTIONS: NATION ELECTIONS AND SET OF CONDITIONS

The National Election: democracy and identity politics

Over the past twenty years, many surveys have been conducted on the identity of Taiwan's citizens. Overall, the numbers who consider themselves solely Taiwanese have increased from 17.3 per cent in 1992 to 54.2 per cent in June 2011. At the same time, the numbers who consider themselves solely Chinese have declined from 25.5 per cent in 1992 to only 4.1 per cent in June 2011. This development has continued since Ma become president in 2008. Furthermore, a recent survey shows that 74 per cent prefer independence, if given a free choice, and more than 81.7 per cent refused to accept the ''One country, Two systems'' proposal from China (Danielsen, 2012, pp. 141–142).

Taiwan has much more income equality than most countries today, and according to some commentators is one of the most ''equal societies'' in East Asia. However, inequality has been rising in recent years, so that about 20 per cent of the Taiwan population earns over six times that of the bottom 20 per cent of the population. While the unemployment level remains low by international comparison, it too has been rising, affecting mainly lower and working-class people.

The national elections on January 14, 2012 were the fifth direct presidential and the seventh direct parliamentary election. Many have called Taiwan's elections ''a beacon of democratic practices in Asia'' (Baum and van der Wees, 2012). Thus, many other nations in Asia and around the world were watching the Taiwan election process and its outcome very carefully. Taiwan has indeed become more ''democratic'' over the last twenty-four years, due to its allowing the existence and activities of opposition political parties and the rapid growth of human rights on the island. Nonetheless, these national elections were not perfect. This is why the IEOM, in its post-election Press Release, labeled them ''mostly free but partly unfair'' (Taiwan Elections, 2012).

Taiwan is surely not alone among countries across the globe in which movements dealing with social and environmental concerns have been followed up by developments focusing on the establishing and functioning of a genuinely democratic system. ''People power movements'' have also occurred in Eastern Europe and Latin America, and most recently in the Middle East and Northern Africa. . . .

Taiwan is also not alone among nations concerned with democracy today. Many western nations face similar problems. Thus, David Kilgour, a member of the IEOM, spoke about election issues in Ontario, Canada in 2005 to the House of Commons Study Group. He noted then that Canada had some similar issues with vote-getting (that is, the process whereby candidates seek votes by offering various forms of financial gains). . . . .

Hence the concern for free and open democratic elections is not restricted to nations, which have recently become democratic (Economist, 2012, pp. 47–48). They are also prominent in western developed democratic nations in the West, like the USA, Canada, France, Italy, Spain, and the UK.

Conditions for Free Elections

In the following section, we follow the universal conditions for democratic elections, as set forth by Wolf (1984), which can be applied to evaluate the national elections in Taiwan in January 2012. These conditions are based upon election observations in Nicaragua during which Wolf identified nine ''Conditions'' that can be applied anywhere in the world (ibid., Preface). Wolf's nine Conditions are:

1) Honest watching of each polling station
2) Total secrecy in casting the vote
3) Voting: Dates, Residency, Inspection, and Counting
4) Absence of a climate of coercion and fear
5) Pre-election freedom of party organization and activity
6) Institutional freedom of intermediate organizations
7) Freedom of speech, campaigning, and assembly
8) Freedom of access to the media
9) Media financing of cable, TV, social and electronic, journals, newspapers, and others

The IEOM proposes two additional Conditions both for Taiwan and for other nations:

No. 10: Elections not determined or influenced by international pressure or informal relationships.

No. 11: All Candidates should have equal access to funding for elections.

Overall, the IEOM considers the 2012 Taiwan National Election to have been acceptable for Conditions 1, 2, 4, and 6. However, Conditions 3, 5, and 7 through 11 raise issues that should be addressed and corrected in future elections to improve the functioning of democracy in Taiwan.

CONCLUSIONS AND RECOMMENDATIONS

The IEOM would like to thank the organizers of the visit, the ICFET, for their invitation and organizing of the delegation. The IEOM wants to encourage the ICFET to continue in its efforts and to support election observation activities in the future to strengthen Taiwan's democracy, so that it can be shared with other countries in the region and around the world. As the IEOM conducted its observations, the members greatly appreciated the willingness of candidates, party representatives, and government representatives to meet with them. Every party organization and its representatives demonstrated hospitality, and suffered the IEOM's questions with grace and dignity.

Areas for Improvement

The IEOM and ANFREL (January 2012) delegations made comments on the successes of the Taiwan national election, which are summarized below. Both groups saw ''areas of concern''. These comments are made to provide constructive feedback on the process in the spirit of improving it, so as to provide a vibrant democratic system worthy of Taiwan's people. No matter what happens in the future, China will continue to have an impact and influence in Taiwan, just as its economic impact is being felt around the world. The peaceful interactions between nations will result in building relationships and producing changes for both nations. Ms. Tsai indicated the need for the DPP to work with China during the election campaign.

Several key institutions need to be strengthened. For example, civil service and non-elected offices all need to be further depoliticized. Improvements in the legitimacy of the elections and reduction of the politicization of the police and courts would increase trust in them by the people and reduce criticism of them during campaigns. Attention should be put to ensuring the neutrality and impartiality, both real and perceived, of all related government agencies.

The IEOM affirms that Taiwan is already a democratic nation. But as with other democracies, there are problems that need to be addressed. These range from public reporting and control of election expenditures to the use of media and neutrality of the administration. The issues of the neutrality of the administrative and judicial systems are serious and need to be addressed through public oversight, evaluation and control. Will the newly re-elected government appoint and oversee ''objective'' and ''transparent'' government officials and judicial officers and move towards much-needed judicial, administrative as well as legislative reforms?

The world will continue to watch Taiwan as it ''performs'' and reveals in the next four years what those future steps will be. Taiwan is a sign of hope to many and has been a model of democratic transformation. It should continue to be the ''showcase nation'' for democracy. To do that requires ongoing review and oversight.

The IEOM has a number of specific recommendations:

A) Thoroughly and honestly resolve the longstanding problem of KMT party assets, including their source, use and investments that create a huge imbalance in financial resources available to each party. This imbalance distorts everything else in Taiwan's elections, including that which is otherwise fair. These hidden assets also provide huge hidden funds to use for election media and other public relations activities. President Ma has stated he wants to resolve the status of these funds, but has not done so as yet. In his new term, the proof will be in his actions.

B) Strengthen enforcement and public promotion of campaign spending laws, and close the many loopholes that candidates and parties can use.

C) Make consequences real for candidates who buy votes, such as disqualification from running in future elections. For example, in 2008 the PFP Plains Aboriginal candidate Lin Cheng-er was removed as a legislator after he was convicted of vote-buying, yet he ran again as a PFP candidate in 2012 and won. We believe he should have been disqualified from running.

D) Use party discipline to combat vote-buying. Parties can mobilize members to assist with the oversight of compliance with election laws and can establish committees to gather evidence concerning election improprieties. However, it is the individual candidates who will make the difference. In short, it is the candidates, not the parties, who buy votes.

E) Change the household registration system to allow people to vote where they actually work or study in Taiwan and thus end the need to travel long distances in Taiwan to vote. This is already practiced in many countries.

TABLE 1: MEMBERS OF THE INTERNATIONAL ELECTION OBSERVERS MISSION (IEOM)

United States—Frank Murkowski, Former Senator and Former Governor of Alaska (USA); USA, Chair of IEOM Mission; Woodrow Clark II, PhD. Contributor to Nobel Peace Prize-winning Intergovernmental Panel on Climate Change (2007), USA and Lead Author of Formal IEOM Report; Edward Friedman, Professor, Political Science, University of Wisconsin, Madison; John Tkacik, Senior Fellow and Director, Future Asia Project, International Assessment and Strategy Center.

Canada—Bill Blaikie, Former M.P, Deputy Speaker of Canadian House of Commons; Susan Henders, Director, York Centre for Asian Research at York University; David Kilgour, Former Secretary of State, Asia Pacific, and former Member of Parliament; Peter Noteboom, Deputy Secretary of Canadian Council of Churches, Commission on Justice and Peace; Ted Siverns, Former Dean, Vancouver School of Theology; Michael Stainton, President, Taiwanese Human Rights Association of Canada; Research Associate at the York Centre for Asian Research at York University; Lois Wilson, Former Canadian Senator, leader on Committee on Human Rights in the Canadian Senate, President of World Council of Churches, first female Moderator of the United Church of Canada.

Europe (one member from France could not participate in the Report)—Michael

Danielsen, Chairman, Taiwan Corner (Denmark); Bruno Kaufmann, President, Initiative and Referendum Institute Europe and Chairman of the Election Commission in Falun (Sweden); Gerrit van der Wees, Editor, Taiwan Communiqué (The Netherlands).

Japan—Katsuhiko Eguchi, Member, House of Councilors, Diet; Yoshinori Ohno, Member, House of Representatives, Diet; Yoshiko Sakurai, President, Japan Institute for National Fundamentals.

Australia—Bruce Jacobs, Professor of Asian Languages and Studies, Monash University.

BICENTENNIAL OF THE RHODE ISLAND MEDICAL SOCIETY

Mr. REED. Mr. President, on February 25, 1812, by an act of the Rhode Island General Assembly, the Rhode Island Medical Society was chartered. In short order, physicians in the State adopted bylaws and elected officers, becoming the eighth State medical society in the Nation. Over the past 200 years, the Rhode Island Medical Society has worked to fulfill its founding principle to consistently improve patient care. That principle is reflected in its many accomplishments in the field of public health.

By 1852, just 40 years later, Rhode Island became the fourth State to collect, analyze, and publish birth, marriage, and death statistics on an annual basis. Soon after, it began distributing clinical papers of peers regarding public health trends and treatments. These early actions reflect a keen understanding of disease prevention and health promotion, as well as the collaborative nature of medicine.

Since these early years, the Rhode Island Medical Society has advanced public health efforts that run the gamut from sanitation to vaccination. It was the second in the country to admit a female doctor. It also has played a role in the development of national health care policy, such as mental health parity, an effort to achieve fairness in the treatment of mental illness, which was fully realized in 2008 when the Mental Health Parity and Addition Equity Act was signed into law.

For all these reasons, and many more, I am pleased to add my voice to those commemorating the Bicentennial of the Rhode Island Medical Society and congratulate its members, Rhode Island physicians, physician assistants, and future physicians for their important work to improve the health and lives of Rhode Islanders.

FREEDOM FOR BOB LEVINSON

Mr. NELSON of Florida. Mr. President, over the recess we marked a sad anniversary: 2,000 days since retired FBI agent Bob Levinson went missing in Iran. That is 2,000 days Christine Levinson has been without her husband and 2,000 days their children have missed his laugh. There has been an empty seat at the family table for far too long. Last year we received proof that Bob was alive, most likely somewhere in Southwest Asia. It is time for him to come home. Mr. President, our Government must continue doing all it can to win his safe return, and I join Bob's family in calling on those who are holding Bob to set him free.

OVARIAN CANCER AWARENESS MONTH

Mr. BROWN of Ohio. Mr. President, we recognize September as Ovarian Cancer Awareness Month.

This year, the American Cancer Society estimates that 22,000 women will develop ovarian cancer and more than 15,550 women will lose their battle with this deadly cancer.

In the last 40 years, the National Cancer Institute, NCI, academic medical centers, and researchers across the country have made remarkable strides in improving treatments and therapies for various cancers.

Today, there are 12 million Americans who are cancer survivors.

Despite this progress, effective treatments for some cancers—including ovarian cancer—remain elusive.

This month, we support these women, their families, and the tireless efforts of health care providers and researchers across the country.

That is why I joined more than a dozen Senate colleagues as an original cosponsor of the National Ovarian Cancer Awareness Month Resolution.

If detected earlier, an ovarian cancer patient has a 94 percent chance of surviving longer than 5 years.

However, only 20 percent of ovarian cancer is detected in its early stage, and when diagnosed in the advanced stage there is only a 30 percent chance of survival.

This makes ovarian cancer the deadliest of all gynecologic cancers.

The National Ovarian Cancer Awareness Resolution designates September as Ovarian Cancer Awareness Month and encourages the efforts of cancer advocates to increase public awareness.

It also supports the NCI and medical researchers work to develop a reliable early detection test.

I have long been an advocate of cancer patients and research.

During the health reform debate, I successfully worked to pass the Clinical Trials Amendment.

Because of the amendment's inclusion in the Affordable Care Act, ACA, health insurance companies can no longer use participation in a clinical trial as a reason to deny health insurance coverage for routine health care.

This provision of the ACA is especially important for diseases like ovarian cancer that desperately need advancements in effective therapies.

As we recognize the importance of advancing ovarian cancer research and commend the struggle ovarian cancer patients and survivors encounter, we must ensure that researchers get the necessary funding and patients receive access to comprehensive care and coverage.

I will continue to support the goals of Ovarian Cancer Awareness Month—not just in September—throughout the year.

THE LEGEND OF LATROBE

Mr. CASEY. Mr. President, in honor of Arnold Palmer, and the presentation of his Gold Medal to him on September 12, 2012, in the U.S. Capitol, for a lifetime of service to his Nation and contributions in the game of golf which has earned him the title of ''The King''. I ask that this poem penned in his honor on this occasion by Albert Caswell be printed in the RECORD.

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

THE LEGEND OF LATROBE

(By Albert Carey Caswell)

The . . .
The Legend of Latrobe . . .
Upon the fairways of our lives . . .
All on her greens what we have strived!
So recorded all on these the score cards of our lives . . .
That which all in the end so improved our lies . . .
Can only but so be found all in how we've so led our lives . . .
Teeing off, crushing it all in these our life's drives!
For when it is all so said and done,
as a Champion, will we so hold the cup of life over our heads as won?
Who have we so touched and inspired,
finishing the rounds of our lives to reach even higher!
Pin High, On The Green On One . . .
All in what is really so important to be won!
When, all in this the tournament we call life which we've begun!
Out upon those fields of green which now so runs!
Will we so settle for par,
or shoot way below in the tournaments of lives my son?
Standing out as a Champion All In The Game of Life,
all in what we have so said and done!
Will we so make the cut before our setting suns!
Arnold Palmer's life,
is not no ordinary one!
As the pride of Pennsylvania,
who for so many generations has so led with such greatness to come!
The Legend of Latrobe and some!
As a champion, ''The King'' on all fronts!
As Father, A Husband, A Grand Father, A Son, A Giver Not a Taker,
A Patriot in The Coast Guard serving his country,
beating that drum!
Giving our children something to shoot for in their lives as won!
And standing out as one of golfing's greatest of all shining sons!
A man who could raise his own Army this one!
And declare war on all others who so dared to challenge America's Son!
As Arnie's Army marched with him until each tournament was done!
A Man For All Seasons,
for so many reasons this title he has now so won!
Yes, Arnold This Golden One!
Who so led the pack,
all because what was so in his heart which would not lack!
Chipping into our hearts and souls,

As we so watched this hero time and again come roaring back . . .
All because of how he so touched each and everyone!
For kindness would follow him everywhere he'd go!
Because, somewhere in the ruffs of life he so let his ego!
Marching For The Dimes,
for all of those children so all in time . . . all to help them so!
For on these fields of green,
ninety-two championships he has seen!
But, his greatest victory of all was what in his heart we saw!
As this Gold Medal upon you Arnold we now so bestow . . .
All for your service to our Nation so,
and your excellence and sportsmanship in the game of golf wherever you would go!
As Arnold, you always stood Pin High!
On The Green In One!
For yes you, The Legend of Latrobe are but America's Golden Son!
Fourrrrrr . . .
As this Gold Medal upon you we now so bestow
Because, on the fairways of life you've always gone for gold!
The Legend of Latrobe!

ADDITIONAL STATEMENTS

TRIBUTE TO FRANK AND ANN GILMORE

• Mr. BAUCUS. Mr. President, Henry Ford once said, ''Anyone who stops learning is old, whether at twenty or eighty. Anyone who keeps learning stays young. The greatest thing in life is to keep your mind young.''

On October 12, 2012, Montana Tech in Butte, MT, will honor two people who embody that very spirit: Frank and Ann Gilmore. As reflected in their stories, both Frank and Anne recognize the importance of education and giving back to society.

A Mississippi native, Dr. Frank Gilmore sought educational opportunities early and often. He was the first member of his family to earn a college degree. Frank's intellectual curiosity paved the way for an impressive academic career, one that includes studies at the Massachusetts Institute of Technology and Harvard University. Frank obtained a bachelor's degree in chemistry from Virginia Military Institute, and then went on to earn his Ph.D. in organic chemistry with a minor in industrial relations at MIT. His career in higher education began in 1967 at the University of Mississippi. Dr. Gilmore then taught at the West Virginia University Institute of Technology, and finally joined Montana Tech in 1998 as chancellor.

Montana Tech has earned a reputation as one of the finest science, engineering, and technical colleges in the world, and much of its success can be attributed to the incredible leadership under Dr. Frank Gilmore. Under Dr. Gilmore's chancellorship, The Princeton Review selected Montana Tech as one of its ''Best 368 Colleges'' for 11 consecutive years. One of Dr. Gilmore's proudest accomplishments is improving Montana Tech's efforts to find students employment before they even graduate.

During Frank's time as chancellor, Montana Tech boasted placement rates for its graduates between 93 and 98 percent. And, lucky for us, 70 to 80 percent of Tech graduates chose to remain and work in Montana.

Frank's dedication to his students went far beyond the classroom. I proudly partnered with Montana Tech in 2007 and 2010 to organize the Montana Economic Development Summits. We could not have asked for a better host than Montana Tech. Frank proudly offered the campus to hold workshops and host some of the world's most influential business and economic leaders. The connections made at Montana Tech during those summits have yielded untold investment and job opportunities for Montanans.

Not only is Dr. Gilmore's career in education inspiring, he also served his country with distinction in the military. He first served as a Marine Corps reservist when he was a teenager, then as an Active-Duty soldier in the Army, and finally as a captain in the Army Reserve.

This past year, Frank was appointed as president of the Barry M. Goldwater Scholarship and Excellence in Education Foundation. The Goldwater Foundation was established to encourage college students to pursue science, math, and engineering. I proudly advocated for Dr. Gilmore's appointment, as I cannot think of anyone more qualified to lead these efforts.

Ann Louise Gauthier Gilmore was also the first in her family to earn a college degree. She received her bachelor's degree in dietetics from the University of Northern Colorado. Like Frank, she also honorably served in our Nation's military.

Ann joined the U.S. Army in 1961 and completed her dietetic internship at Walter Reed Army Medical Center in Washington, DC. She continued to serve our Nation in the Army Medical Corps until her honorable discharge in 1963 as a first lieutenant.

Not only has Ann demonstrated a life-long commitment to education and to our country, she has directed her talents toward serving her community. Ann worked with the Women, Infants and Children, WIC, Program in Mississippi, the PEO, Philanthropic Educational Organization, a sisterhood committed to empowering women through education, and served on the board of the Butte Symphony Orchestra.

Frank and Ann's stories give us hope that there are dedicated, hard-working folks in our schools, providing our children with the tools they need to succeed. In a world more competitive than ever before, it is essential that we provide all Montanans with a world-class education. Investing in Montana's young minds is the best way to keep us competitive with our global neighbors and to ensure a solid economic future.

Thanks to the community's overwhelming generosity and support, Montana Tech constructed a new university center to honor Frank and Ann Gilmore. The new Frank & Ann Gilmore University Relations Center serves both students and alumni. The center provides a much-needed venue for students to meet their future employers, as well as place for alumni to convene and reminisce about their time at Montana Tech.

As we all can see, both Frank and Anne possess an insatiable hunger for education which they have used to better their community. The University of Montana, the Butte and Anaconda communities, and especially the Montana Tech students, faculty, and staff, all know that with people like Frank and Ann, Montana will continue to become an even better place to live, work, and raise a family.•

NATIONAL PREPAREDNESS MONTH

• Mr. BEGICH. Mr. President, I wish to proclaim September 2012 as Alaska Preparedness Month. No one can predict when or where the next crisis will be, and as a state that is particularly vulnerable to natural disasters and human-caused emergencies, it is essential that Alaskans be prepared to respond to any crisis that may arise.

The American public remains largely uninformed on and unprepared for possible disasters and other life-threatening emergencies in their communities. Since government agencies and disaster organizations cannot bear sole responsibility for preparing and responding to disasters, it is important for all to plan ahead.

National Preparedness Month is a nationwide effort led by the American Red Cross to raise awareness about the importance of planning for all types of emergencies. Held each September, National Preparedness Month aims to encourage American households to learn more about preparedness and to create a family disaster plan.

It is my hope that by proclaiming September 2012 as Alaska Preparedness Month, Alaskans will be inspired to make sure they are well-equipped to deal with any and all possible crises in the future.•

REMEMBERING ALBERT ADAMS

• Mr. BEGICH. Mr. President, on August 13, 2012, Senator Al Adams passed away peacefully at home in Anchorage, AK, surrounded by family.

Albert P. Sikiagruk Adams was born June 18, 1942, in Kotzebue, AK. He attended Mt. Edgecumbe High School in Sitka. Following high school, he attended the University of Alaska Fairbanks and RCA Technical Institute.

Al Adams is survived by his wife, Diane; his children Al ''Sonny'' Adams, Guy Adams, Herb Adams, Michelle Merculieff, Thomas Adams, and Luke Adams. He is survived by his sisters Adra Distefano, Sarah Scanlan, and

Darlene ''Red'' Seeberger, their families, and his brothers-in-law John and Thomas Simonson, Mike Scanlan, and Don Distefano and sister-in-law Peggy Simonson. He also leaves his beloved grandchildren and extended family members.

Al lived a life of service and was known for a generosity of spirit and a drive to help others in both his public and private life.

To his family, he was a beloved husband, father, and grandfather for whom family was the highest priority. He often organized subsistence hunting and fishing trips for his children, where he passed down traditional Inupiat skills. He coordinated all the logistics for these memorable outings and even served as camp cook, making sure everyone was well fed. Whether dipnetting at the mouth of the Kenai River, caribou hunting outside of Kotzebue, or visiting the fish wheel at Chitina, he let his wife, children, and grandchildren know they were loved and they came first and foremost in his life.

He was also a romantic and loving husband, planning vacations for his wife, Diane, to celebrate and share the milestones they achieved together as a couple. Travel was one of his favorite pastimes and one he loved to share with her.

Although he led a very public life, he also was a man of many unsung good deeds on a personal level. Many people did not know he kept cash in his vehicle console to give those in need, or that he provided meals to those who were hungry. At Christmas, boxes of turkeys would arrive at Bean's Cafe and money for holiday goody bags would arrive at the Friends Church. The individual recipients never knew who had lent them a hand.

Even when Al was ill, he cared for others and tried to ease their worries with humor. He wanted others to be comfortable and to enjoy life. He put people first and was always prepared to serve them. He believed in God, in a higher power, and was a teacher and mentor to many.

Publically, Al's service to his beloved State improved the lives of those he represented in rural Alaska. His long career in public service began in the late 1960s and included 8 years in the Alaska State House beginning in 1980, during which he represented District 37 which included the communities of the NANA/Maniilaq and Arctic Slope regions. From 1988–2000, he served in the Alaska State Senate, also representing the Bering Straits/Kawerak region.

Following his retirement from the Alaska State Legislature, Al served as president of Adams Management Services and worked for the Northwest Arctic Borough and North Slope Borough as an adviser sharing his understanding of State government and how it could help the people of rural Alaska.

In 2003, he began a new career as a lobbyist with a focus on representing rural and Alaska Native interests. He again provided a powerful voice in Juneau and Washington, DC, drawing on his years of State legislative experience. He brought the same passion to lobbying that he had as a legislator, always saying those he represented weren't his clients, they were his people. He tirelessly promoted the continued successes of Mt. Edgecumbe High School because of the valuable opportunities it provides to develop relationships among talented young Alaska Native people.

Al's hospitality to his peers, staff, clients and visitors at the State capitol is still remembered to this day. His door and telephone lines were always open to Alaskans, no matter where they lived. He worked hard to guarantee rural Alaska gained its fair share of State funding and he joined his colleagues on statewide efforts that benefitted all Alaskans.

An astute lawmaker, he was a master at understanding politics and State finances and chaired the powerful House Finance Committee during his 8-year term in the State House. He served 18 years on the Legislative Budget and Audit Committee and 12 years on the Operating Budget Conference Committee. He served on other key committees that helped protect subsistence and bring needed infrastructure and social services to rural Alaska.

He fought hard for the establishment and continued existence of the Power Coast Equalization (PCE) program; convincing the Alaska Legislature to establish an endowment to fund PCE in perpetuity.

Prior to his legislative service, he held other positions as president of Kikiktagruk inupiat Corporation. He also served on numerous boards including the Alaska Airlines Advisory Board, Arctic Power, Mt. Edgecumbe and NANA Regional Corporation.

When I was elected mayor of Anchorage, AK, Al met with me and reminded me Anchorage is Alaska's largest Native community. When I was elected Senator, he continued to advise me on how together we could help all Alaskans.

The people of Alaska will miss Senator Al Adams. He was a friend, a mentor, a humanitarian and an example for many generations of leaders. I will miss Al for not only his guidance on doing what's right for all of the people of Alaska but for his wit and his friendship.●

PETALUMA ALL-STAR TEAM

● Mrs. BOXER. Mr. President, I am pleased to congratulate the 2012 Petaluma National Little League All-Star team for capturing third place at the 66th Little League World Series in Williamsport, PA. The determination, sportsmanship and love of the game that these young athletes exhibited captured the imagination and support of people in Petaluma and throughout California.

Since its establishment with three teams in 1939, Little League Baseball has grown to become the world's largest youth sports program, enabling millions of children from 80 countries in 6 continents to enjoy and compete in the American pastime. This year the Little League World Series featured eight regional representatives from the United States and eight international teams.

The Petaluma National All-Star team qualified for the Little League World Series by winning the District 35 Tournament in Petaluma, the Section I Tournament in Fairfield, the NorCal Division II Tournament in Fremont and the Western Regional Tournament in San Bernardino.

At the Little League World Series, the Petaluma All-Stars achieved several impressive and memorable feats. In the U.S. Championship game, the Petaluma All-Stars staged one of the biggest and most thrilling rallies in Little League World Series history when they plated 10 runs in the bottom of the sixth to force their game against the team from Goodlettsville, TN into extra innings. Although their valiant effort would ultimately fall short, the remarkable determination and competitiveness exhibited by these young athletes will forever be a part of the lore of the Little League World Series. The next day, the Petaluma team showed its resilience by defeating the team from Aguadulce, Panama to place third worldwide behind the eventual Little League World Series championship team from Tokyo, Japan and the U.S. Championship team from Goodlettsville, TN.

I ask my colleagues to join me and the Petaluma community in recognizing all the members of the Petaluma National Little League All-Star team on this wonderful achievement: Kempton Brandis, Blake Buhrer, Logan Douglas, Quinton Gago, Daniel Marzo, Dylan Moore, James O'Hanlon, Austin Paretti, Porter Slate, Hance Smith, Bradley Smith, Cole Tomei, Andrew White and a team of dedicated coaches, parents and volunteers.●

DEATH OF SACAGAWEA

● Mr. JOHNSON of South Dakota. Mr. President, I wish to speak today to commemorate the life of Sacagawea and the impacts her life has had on the development of our great Nation. While there is some controversy regarding the death of Sacagawea, most research indicates that this year marks the 200th anniversary of her reported death in present day South Dakota.

Sacagawea is historically most famous for guiding Captains Meriwether Lewis and William Clark, along with her husband and infant son, on U.S. President Thomas Jefferson's Corps of Northwestern Discovery expedition to the Pacific Coast and back from 1804 to 1806.

Sacagawea, the daughter of a Shoshone chief, was born around 1788 in present-day Idaho. At a young age, she was captured by the enemies of the

Shoshones, the Hidatsa, and sold to a French-Canadian trapper named Toussaint Charbonneau. Charbonneau married Sacagawea and the two lived among the Mandan and Hidatsa tribes of the upper Missouri river in present-day North Dakota. When Lewis and Clark came to the area on their journey in November of 1804, they commissioned Charbonneau and Sacagawea, who was with child, to serve as interpreters. With the help and knowledge of Sacagawea, the Lewis and Clark expedition reached the Pacific Ocean in November of 1805.

It was reported that Sacagawea died on December 20, 1812, at Fort Manuel Lisa, which overlooked the Missouri River near the present-day city of Kenel, in Corson County, SD. John Luttig, the trading post's clerk, wrote: ''This evening the wife of Charbonneau, a Snake Woman, died of a putrid fever. Aged about 25 years. She left an infant girl.''

Though Sacagawea had a short and difficult life, her legacy still lives on. The celebration of her life also gives us a great opportunity to recognize the rich culture and heritage of our Native American tribes. As we bear in mind her life, death, and impact, I encourage everyone to join in also commemorating the unique culture of the indigenous peoples of the United States.

Later this month, the Lewis and Clark Trail Heritage Foundation will be holding their regional meeting in Fort Pierre, SD. The South Dakota Chapter of the Lewis and Clark Trail Heritage Foundation, Encounters on the Prairie, will be hosting this regional meeting which will be commemorating the 200th anniversary of Sacagawea's reported death. I am proud to speak about the rich piece of our Nation's history she was a part of. Her memory and the heritage in which she embodies, continues to inspire us in South Dakota and across the Nation.●

● Mr. THUNE. Mr. President, today I wish to recognize the 200th Anniversary of the reported death of Sacagawea within the borders of what is now South Dakota. At this time I would like to commemorate her for her contributions to the Lewis and Clark Expedition.

Sacagawea accompanied Meriwether Lewis and William Clark on the Northwestern Discovery Expedition to the Pacific Coast for the U.S. President Thomas Jefferson's Corps. In recognition of her service and bravery, the Central South Dakota Chapter of the Lewis and Clark Trail Heritage Foundation, known as Keepers of the Story, Stewards of the Trail, are hosting a regional meeting September 28, 29, and 30, 2012. The meeting will be open to the public in the cities of Fort Pierre, Pierre, Mobridge, and Kenel, SD. To help commemorate the bicentennial of the reported death of Sacagawea, the Lewis and Clark Trail Heritage Foundation will travel to Fort Manuel Lisa.

The story of Sacagawea, while short, is one of great success and worthy of remembrance. Her guidance and interpretation were vital to Lewis and Clark's journey. I hope my fellow colleagues will help me commemorate the 200th anniversary of the reported death of Sacagawea by recognizing her sacrifice and efforts.●

NATIONAL CITY, CALIFORNIA

● Mrs. BOXER. Mr. President, today I take this opportunity to recognize and celebrate the 125th anniversary of National City, located in San Diego County, CA.

National City was founded in 1868 and incorporated on September 17, 1887, making it the second oldest city in San Diego County. The land on which it stands had earlier been an Indian rancheria, home of Apusquele band of the Hamacha tribe. In 1769 it had become one of the ranches used by the Mission San Diego de Alcala, and the padres called it La Purisima Concepcion.

In the late 19th century, National City pioneered the shipping and transportation systems for San Diego, constructing the area's first wharf and introducing the first transcontinental railroad terminus; the National City Depot, built in 1882, is the last one standing out of the original five transcontinental terminus railroad stations and is designated as a California historical landmark. Another local cultural treasure ''Brick Row,'' built in 1887 is the only Philadelphia-style row housing in the southwestern United States and is listed in the National Register of Historic Places.

Today, National City's 3-mile-long port along San Diego Bay is part of Naval Base San Diego, the largest U.S. Navy base on the west coast. In addition to its leading role as a naval gateway, National City is considered a symbolic link between San Diego and Mexico.

On September 22, residents of National City will gather for a citywide 125th anniversary picnic at Kimball Park. I congratulate the people of National City on this special occasion and salute their rich history and wonderful community spirit.●

REMEMBERING JOE GARLAND

● Mr. KERRY. Mr. President, last summer Massachusetts lost a gentleman, the fishing industry lost an icon and I lost a friend. For years Joe Garland served as the unofficial historian of Gloucester, MA—its fishermen, its boats and its life. If you visit the Fisherman's Memorial on Gloucester's waterfront on a stormy winter day, the statue of the Heroic Mariner seems to be steering the whole town into the wind toward fair weather. And if you look closely at the statue, you can almost see Joe Garland in its carved granite face, full of grit and determination, guiding his beloved Gloucester through headwinds and troubled waters.

He's been gone for more than a year now, but his memory lives on through his loving wife Helen, his family, his friends and through the continuing legacy of the schooner Adventure.

In my Boston office, I have a copy of his book about the Adventure, which he helped to restore. When I received it many years ago, it arrived with an invitation from Joe to tour the schooner and, of course, I didn't waste any time accepting his invitation. He welcomed me aboard, and his tour made the Adventure's history come alive—from its construction in 1926 through its career as a ''highliner,'' the biggest moneymaker of them all, landing nearly $4 million worth of cod and halibut during her career.

As Joe himself once wrote, ''The Adventure is a survivor, not a vision. She is here, real and beautiful . . . I can stand on those decks with the wholesail breeze, arms hooked into the rigging, and watch her go, watch the miles bubble out from under the stern as they have done now for more than fifty [now nearing 100] years. She is fantastic!''

As we celebrate the historic restoration of the Adventure, and celebrate Joe's incredible life, I know that he is smiling down on us today, on what would have been his 90th birthday. Mr. President, the world weathers so many storms, but at the center of each we find people of character who revive our hope and give us strength. Joe Garland was such a man, and we are all blessed to have had his strength and his character as an example, and we are equally blessed that he left us with such a marvelous schooner, the Adventure, as an enduring reminder of his life.●

TRIBUTE TO DAVID WOOD

● Mrs. SHAHEEN. Mr. President, today I wish to recognize the career of David Wood, the founding Executive Director of Affordable Housing, Education and Development (AHEAD), Inc. in Littleton, New Hampshire. After over 20 years of hard work to make affordable housing and home ownership a reality for hundreds of NH families, David will step down from his position at the end of this year. I would like to take this opportunity to thank him for his remarkable commitment to helping those in need.

Since 1991, AHEAD has provided safe and affordable rental housing, family support, and financial education to thousands of people living in rural northern New Hampshire. Under David's direction, the organization now owns and operates 304 units of affordable multifamily rental housing in nine communities in our State. Furthermore, AHEAD has assisted more than 600 families buying their first homes and helped rescue another 250 households facing foreclosures.

AHEAD has received numerous awards over the last 20 years in recognition of the positive impact that David and his staff have brought to our

North Country. These accolades include the USDA Rural Development New Hampshire Partner of the Year in 2002, the Federal Home Loan Bank-Boston Partner of the Year, and the Citizens Bank Champion in Action in 2005.

In addition to his full-time responsibilities at AHEAD, David has served on the Board of the New Hampshire Community Development Finance Authority for 20 years, spending four of them as its chair. He has been an active member of the National Neighbor Works Association and spent 6 years on the Advisory Council for the Federal Home Loan Bank of Boston. David has also been a crucial voice in Housing Action New Hampshire's advocacy efforts to promote affordable housing across our State.

These impressive accomplishments demonstrate David's dedication to improving the lives of families in Coos and northern Grafton Counties. I am sure that David will modestly attribute this success to his talented and dedicated team of staff and supporters, but it was his vision for community development that led to the founding of AHEAD. His belief in stable families as the foundation of a vibrant community resulted in projects like the McKee Inn in Lancaster and Littleton Town & Country Family Housing. Because of his commitment to this cause, hundreds of families in New Hampshire now have access to safe, warm, and affordable homes.

Put simply, Mr. President, David has made New Hampshire a better place to live and raise a family. I know that the great energy and spirit with which he has led AHEAD for the past 20 years will endure at this enormously successful non-profit organization. I congratulate David on all his achievements and wish him the best in his retirement.●

RECOGNIZING BLUE CROSS BLUE SHIELD OF MASSACHUSETTS

● Mr. KERRY. Mr. President, today I would like to recognize the accomplishments of Blue Cross Blue Shield of Massachusetts (BCBSMA), a company that has provided affordable health insurance options for families in the Commonwealth for the past 75 years.

As our Nation's health care system has evolved, BCBSMA has remained a leader in the industry by focusing on the principles of service, leadership, and innovation. In fact, it was the first organization of its kind to offer statewide insurance coverage for hospitalization—providing all working families a financially realistic option so they could afford a hospital stay when it was needed. And decades later, BCBSMA was instrumental in helping to create several of the State's best-known health maintenance organizations (HMOs).

BCBSMA has been actively working to improve the health of their members through an innovative benefit design that focuses on prevention and customized wellness programs, encourages community-based care, and improves care coordination.

Additionally, they have been national leaders in payment reform by designing an innovative model that has demonstrated the ability to improve the quality of patient care while simultaneously slowing the growth of health care spending. In 2008, BCBSMA created a new payment system called the Alternative Quality Contract (AQC). This model rewards physicians and hospitals for the quality and outcomes of the care they provide to patients. Providers receive a global budget for their patients and are responsible for any excessive spending and are rewarded for quality. This combination of the global budget and pay-for-performance incentives establishes provider accountability for both the quality and cost of care.

BCBSMA isn't just committed to its members; they are leaders in the community with a distinct focus on corporate citizenship and civic engagement. They spend countless hours working within the community to make a measurable and sustainable impact on issues such as child development, healthy environments, and family nutrition. During the last year, BCBSMA associates volunteered to perform more than 26,000 hours of community service throughout Massachusetts. In their tradition of supporting the work of not-for-profit organizations, BCBSMA is commemorating their 75th anniversary by providing grants to community stakeholders working to advance the health and nutrition of families facing economic hardship.

BCBSMA founded the Blue Cross Blue Shield of Massachusetts Foundation in 2001, one of the largest health-focused private philanthropies in New England, to expand access to health care. The Foundation played an important role in the passage of Massachusetts health reform in 2006 by providing reliable data and objective analysis to policy-makers and convening stakeholders for sessions of public debate. Massachusetts now has the best health care coverage rate in the Nation with 98.1 percent of residents having health insurance, including 99.8 percent of all children.

Not only did BCBSMA work to expand health care coverage in the Commonwealth, they were a leader in the national effort to expand health care coverage to all Americans. BCBSMA was the only health plan in the Nation to file an amicus, or ''friend of the court'', brief in support of the constitutionality of the Affordable Care Act when it was considered by the Supreme Court earlier this year. They believed the health reform law was critical to ensure that all Americans have the same health care benefits and protections that Massachusetts residents have known for years.

As we continue to implement the Affordable Care Act, I am confident that BCBSMA will be there every step of the way. They are rated among the nation's best health plans for member satisfaction and quality and their commitment to both exceptional and affordable health care is clearly evident to their nearly three million members in Massachusetts.

I congratulate Andrew Dreyfus, President and Chief Executive Officer, and all the employees at BCBSMA who work together to advance the availability of quality health care on this remarkable milestone. I look forward to the innovation and leadership you will deliver over the next 75 years for the Commonwealth of Massachusetts.●

RECOGNIZING THE LOWELL MILKEN CENTER

● Mr. ROBERTS. Mr. President, today I wish to commemorate the Lowell Milken Center's 2012 National Projects Kick-off. Located in Fort Scott, KS, the Lowell Milken Center discovers, develops, and communicates the stories of unsung heroes who have made a profound and positive difference on the course of history. The Lowell Milken Center was opened in 2007 as an international nonprofit organization focused on creating a better future by developing projects that teach respect and understanding. This approach has been built upon student-driven, project-based learning so that Americans and people around the world may learn that each of us has the responsibility and the power to take actions to improve the lives of others.

During its 6 years of operation, the center has hosted over 15,000 visitors and reached over 550,000 students in 5,000 schools by telling inspiring stories of unsung heroes to influence change in behaviors and attitudes. In May, I had the pleasure of visiting the Lowell Milken Center. During my visit, I was able to meet the center's visionary and founder Norm Conard and its program director Megan Felt. Both are outstanding Kansans who have helped shape the way we approach history and learning. Ms. Felt has been honored nationally and internationally for her projects with students, and she is the founder of the internationally acclaimed work, ''Life in a Jar: The Irena Sendler Project.''

Irena Sendler was a devout Catholic who helped save the lives of 2,500 children during the Holocaust in Poland. She smuggled children out of a Warsaw ghetto and placed them with families not threatened by the Nazis. Toward the end of the war, she was arrested, severely beaten, and almost died for her actions to save these children.

In 1999, three high school students from Uniontown, KS, uncovered the remarkable story of Irena Sendler after Uniontown High School teacher Norm Conard tasked his students to compete in a National History Day contest. The students investigated an article published in 1994 mentioning Sendler and uncovered a heroic story that had gone virtually unreported. The students eventually met their hero and began exchanging letters.

This relationship inspired the students to write a play about Sendler's life and work. ''Life in a Jar: The Irena Sendler Project'' continues to be performed in Uniontown, KS, and has been preformed across the U.S. and in Europe. Fortunately, this project brought Sendler much overdue national attention in Poland, and in 2007 Sendler was nominated for a Nobel Peace Prize. In 2008, Irena Sendler passed away at age 98.

The Lowell Milken Center continues to pursue those often missed in history books and to promote cross-cultural understanding in the world. It is an honor to represent the Lowell Milken Center in the United States Senate, and I commend their efforts to promote the unsung heroes who changed the world through the 2012 National Projects Kick-off.●

TRIBUTE TO KRISTEN McGONIGLE

● Mrs. SHAHEEN. Mr. President, today I wish to honor a remarkable citizen, Kristen McGonigle of Concord, NH. On June 9, 2012, Kristen saved the life of a fellow runner during a local road race.

Every June, Portsmouth, NH hosts a 10K road race in conjunction with Market Square Day, an annual celebration honoring the renovation of one of the historic city's vibrant downtown areas. Kristen was participating in the race when she noticed another runner, Steve Whitney, showing signs of a significant heart attack.

As a cardiac care nurse at Concord Hospital with more than 16 years of experience, Kristen immediately recognized Steve's symptoms and took swift action to save his life. Kristen possessed the skills necessary to keep Steve alive until paramedics arrived. In fact, Kristen continued to perform chest compressions even after the arrival of emergency medical technicians. Her quick action ensured that Steve safely reached the qualified health care providers at Portsmouth Regional Hospital.

According to the Centers for Disease Control and Prevention, heart disease is the leading cause of death in the United States. Sadly, nearly every American knows an individual impacted by heart disease, and all too many people suffer a catastrophic cardiac event similar to the one Steve Whitney experienced.

Nursing professionals dedicate their working lives to caring for those in need, providing the comforts and necessities required for their patients to regain strength and recover good health. The frequent acts of heroism performed by these men and women often go unnoticed, but it is impossible to overvalue the work they perform. The daily efforts of nurses for the betterment of others serve as an invaluable bridge to care between doctor and patient.

I applaud and thank Kristen for her devotion to those in need. She has spent her career helping others while also caring for her family, including her husband Kirk and her two children, Camden and Ally. Her exemplary behavior gives her family, her workplace, her community, and the State of New Hampshire great pride.

I wish to thank Kristen McGonigle for her service and her actions on June 9, 2012, and commend her kindness, compassion, and dedication to her field and her fellow citizens.●

RECOGNIZING YALE CORDAGE

● Ms. SNOWE. Mr. President, it is no secret that my home State of Maine boasts an expansive coastline, unmatched in beauty. With its numerous bays and inlets, this coastline provides endless opportunities for the many industries that have come to be known as quintessentially Maine, including commercial fishing, shipbuilding, and pleasure boating. One excellent example is Yale Cordage of Saco, ME, a small business dedicated to manufacturing quality products used by industries throughout Maine and the world.

Founded in 1950 by O. Sherman Yale, Yale Cordage introduced synthetic fiber to the commercial fishing industry when it began manufacturing ropes. For 20 years its focus remained on commercial fishing; however, it expanded its product line to provide ropes for the pleasure marine marketplace when Yale's son Tom, an avid sailor, joined the company. From there, Yale Cordage began building its reputation as a leader in the pleasure marine industry by introducing technologically innovative products and, through Tom's leadership as President of the Cordage Institute, influencing industry standards. Moreover, in 1983 *Australia II* won the America's Cup for yacht sailing using all Yale Cordage rigging. But Yale Cordage's desire to seek new markets did not stop there.

Recognizing certain limitations of the pleasure marine market, Yale Cordage sought new ways to use its products in different industries. Now, Yale Cordage's products are not only found on boats but throughout the world and in a variety of capacities. For example, Central Maine Power uses Yale Cordage's products to string new power lines while Bath Iron Works uses them in the destroyer class of naval warships. You can find Yale Cordage products in the ocean for use with offshore oil rigs, beneath the Earth's surface in the Sudbury Neutrino Observatory, in the sky on the Hood Blimp, at the tops of trees with arborist climbers, and recently at Niagara Falls when Yale Cordage rope was used in the hoisting and securing process for the world's first tightrope walk directly over the falls. The National Data Buoy Center trusts Yale Cordage products to moor weather buoys critical in the tracking of storms, including the recent hurricanes in the Gulf of Mexico. Even our armed services have taken advantage of Yale Cordage's quality products: the U.S. Army uses Yale Cordage ropes to remove tanks from ditches in Afghanistan, and the Navy SEALs use it when rappelling from helicopters.

Through hard work, ingenuity, and determination, Yale Cordage has evolved from a commercial fishing rope supplier to a $20 million company that manufactures rope for a wide range of industries. It now operates a state-of-the-art facility, and provides jobs for 75 people in my home State. Yale Cordage is a shining example of the entrepreneurial spirit of Maine. I am proud to commend everyone at Yale Cordage on their success and offer my best wishes for the future.●

TRIBUTE TO PETER J. FOS

● Mr.VITTER. Mr. President, today I wish to recognize Dr. Peter J. Fos. In January, Dr. Fos was named the sixth leader and first president of the University of New Orleans. A New Orleans native and graduate of UNO, Dr. Fos received his degree in biological sciences and a doctor of dental surgery from LSU Health Sciences Center. He also earned his masters of public health and doctor of philosophy in health care decision analysis from Tulane University.

Prior to being selected as president, Dr. Fos served as a professor and program director of health policy and systems management at LSU Health Sciences Center where he oversaw curriculum development and assessment and student and faculty professional development.

He also served as provost and executive vice president for 3 years at the University of Texas at Tyler and spent 4 years as dean of the College of Health at the University of Southern Mississippi. Dr. Fos has also held positions at the Mississippi State Department of Health, the University of Nevada, Las Vegas School of Dental Medicine, Tulane University School of Public Health and Tropical Medicine, and Tulane University Department of Health Systems Management.

In addition to increasing enrollment under new admissions standards, Dr. Fos also has both short and long-term goals which include improving communication both on and off campus and reconnecting UNO to the local business community.

At a time when Louisiana's higher education system is being asked to do more with less, it is important that those tasked with guiding our universities into the future do so in ways that will not compromise the educational value provided to Louisiana's students. With his long career educating our youth, I am pleased for Dr. Fos that he has been selected to lead UNO, and I congratulate him on this great honor.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on September 14, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills, without amendment:

S. 3245. An act to extend by 3 years the authorization of the EB–5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J–1 Visa Waiver Program.

S. 3552. An act to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 5, 2011, the following enrolled bill, previously signed by the Speaker of the House, was signed on September 14, 2012, during the adjournment of the Senate, by the President pro tempore (Mr. INOUYE).

H.R. 6336. An act to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol.

MESSAGES FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1775. An act to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

H.R. 6365. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011.

H.J. Res. 117. Joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

At 11:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6213. An act to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005.

MEASURES REFERRED

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

H.R. 6213. An act to limit further taxpayer exposure from the loan guarantee program established under title XVII of the Energy Policy Act of 2005; to the Committee on Energy and Natural Resources.

H.R. 6365. An act to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5949. An act to extend the FISA Amendments Act of 2008 for five years.

The following joint resolution was read the first and second times by unanimous consent, and placed on the calendar:

H.J. Res. 117. Joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3576. A bill to provide limitations on United States assistance, 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–7519. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Marysville Days Fireworks, St. Clair River, Marysville, MI'' ((RIN1625–AA00) (Docket No. USCG–2012–0388)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7520. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; International Special Operations Forces Week Capability Exercise, Seddon Channel, Tampa, FL'' ((RIN1625–AA00) (Docket No. USCG–2012–0007)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7521. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Lake Superior; Duluth, MN'' ((RIN1625–AA00) (Docket No. USCG–2012–0483)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7522. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Major Motion Picture Filming, Atlantic Intracoastal Waterway; Southport, NC'' ((RIN1625–AA00) (Docket No. USCG–2012–0577)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7523. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Atlantic Intracoastal Waterway; Oak Island, NC'' ((RIN1625–AA00) (Docket No. USCG–2012–0431)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7524. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Atlantic Intracoastal Waterway; Emerald Isle, NC'' ((RIN1625–AA00) (Docket No. USCG–2012–0432)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7525. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; GR Symphony Fireworks Display, Kalamazoo Lake, Saugatuck, MI'' ((RIN1625–AA00) (Docket No. USCG–2012–0570)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7526. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Potomac River, Charles County, Newburg, MD'' ((RIN1625–AA00) (Docket No. USCG–2012–0563)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7527. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Lake Superior; Cornucopia, WI'' ((RIN1625–AA00) (Docket No. USCG–2012–0473)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7528. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Temporary Change for Recurring Fifth Coast Guard District Fireworks Displays; Northwest Harbor (East Channel) and Tred Avon River, MD'' ((RIN1625–AA00) (Docket No. USCG–2012–0251)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7529. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Oswego Independence Celebration Fireworks, Oswego Harbor, Oswego, NY'' ((RIN1625–AA00) (Docket No. USCG–2012–0481)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7530. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

''Safety Zone; Virginia Beach Oceanfront Air Show, Atlantic Ocean, Virginia Beach, VA'' ((RIN1625–AA00) (Docket No. USCG–2012–0095)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7531. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Annual Fireworks Events in the Captain of the Port Detroit Zone'' ((RIN1625–AA00) (Docket No. USCG–2012–0313)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7532. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Atlantic Intracoastal Waterway; Wrightsville Beach, NC'' ((RIN1625–AA00) (Docket No. USCG–2012–0368)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7533. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sheffield Lake Fireworks, Lake Erie, Sheffield Lake, OH'' ((RIN1625–AA00) (Docket No. USCG–2012–0501)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7534. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Detroit Symphony Orchestra at Ford House Fireworks, Lake St. Clair, Grosse Pointe Shores, MI'' ((RIN1625–AA00) (Docket No. USCG–2012–0600)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7535. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Nautical City Festival Air Show, Rogers City, MI'' ((RIN1625–AA00) (Docket No. USCG–2012–0389)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7536. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Bay Swim V, Presque Isle Bay, Erie, PA'' ((RIN1625–AA00) (Docket No. USCG–2012–0163)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7537. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; NOAA Vessel Rueben Lasker Launch, Marinette, WI'' ((RIN1625–AA00) (Docket No. USCG–2012–0492)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7538. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sheboygan Harbor Fest, Sheboygan, WI'' ((RIN1625–AA00) (Docket No. USCG–2012–0539)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7539. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Richmond-Essex County Fourth of July Fireworks, Rappahannock River, Tappahannock, VA'' ((RIN1625–AA00) (Docket No. USCG–2012–0300)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7540. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fifth Coast Guard District Fireworks Display Pasquotank River; Elizabeth City, NC'' ((RIN1625–AA00) (Docket No. USCG–2012–0543)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7541. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Major Motion Picture Filming, Cape Fear River; Wilmington, NC'' ((RIN1625–AA00) (Docket No. USCG–2012–0515)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7542. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Grand Hotel 125th Anniversary Fireworks Celebration, Mackinaw Island, MI'' ((RIN1625–AA00) (Docket No. USCG–2012–0533)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7543. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Arctic Drilling and Support Vessels, Puget Sound, WA'' ((RIN1625–AA00) (Docket No. USCG–2012–0508)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7544. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Potomac River, National Harbor Access Channel; Oxon Hill, MD'' ((RIN1625–AA00) (Docket No. USCG–2012–0507)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7545. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Race on the Lake, Onondaga Lake, Syracuse, NY'' ((RIN1625–AA00) (Docket No. USCG–2012–0347)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7546. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Fireworks Displays in Captain of the Port Long Island Sound Zone'' ((RIN1625–AA00) (Docket No. USCG–2012–0477)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7547. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones, Seattle's Seafair Fleet Week Moving Vessels, Puget Sound, WA'' ((RIN1625–AA87) (Docket No. USCG–2011–1126)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7548. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; 2012 Republican National Convention, Captain of the Port St. Petersburg Zone, Tampa, FL'' ((RIN1625–AA87) (Docket No. USCG–2011–0922)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7549. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; USS MISSISSIPPI Commissioning; Pascagoula Harbor and Pascagoula River; Pascagoula, MS'' ((RIN1625–AA87) (Docket No. USCG–2012–0333)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7550. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Sturgeon Bay Ship Canal, Sturgeon Bay, WI'' ((RIN1625–AA09) (Docket No. USCG–2011–1109)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7551. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Lafourche Bayou, LA'' ((RIN1625–AA09) (Docket No. USCG–2011–0926)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7552. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Hood Canal, WA'' ((RIN1625–AA09) (Docket No. USCG–2012–0074)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7553. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Eighth Coast Guard District Annual Marine Events and Safety Zones'' ((RIN1625–AA00; 1625–AA08) (Docket No. USCG–2011–0286)) received during adjournment of the Senate in the Office of the President of the Senate on August

6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7554. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Moving Security Zone Around Escorted Vessels on the Lower Mississippi River Between Mile Marker 90.0 Above Head of Passes to Mile Marker 110.0 Above Head of Passes'' ((RIN1625–AA00) (Docket No. USCG–2011–1063)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7555. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; OPSAIL 2012 Connecticut, Niantic Bay, Long Island Sound, Thames River and New London Harbor, New London, CT'' ((RIN1625–AA08) (Docket No. USCG–2012–0066)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7556. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events, Swim Event; Lake Gaston, Littleton, NC'' ((RIN1625–AA08) (Docket No. USCG–2012–0197)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7557. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Upper Mississippi River, Mile 842.0 to 840.0'' ((RIN1625–AA00) (Docket No. USCG–2012–0312)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7558. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events, Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District, Wrightsville Channel; Wrightsville Beach, NC'' ((RIN1625–AA08) (Docket No. USCG–2012–0341)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7559. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Battle on the Bay Powerboat Race Atlantic Ocean, Fire Island, NY'' ((RIN1625–AA08) (Docket No. USCG–2012–0629)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7560. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; San Francisco Bay Navy Fleetweek Parade of Ships and Blue Angels Demonstration'' ((RIN1625–AA00) (Docket No. USCG–2012–0459)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7561. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation and Security Zone: War of 1812 Bicentennial Commemoration, Port of Boston, MA'' ((RIN1625–AA08) (Docket No. USCG–2012–0100)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7562. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Annual Bayview Mackinac Race'' ((RIN1625–AA08) (Docket No. USCG–2012–0403)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7563. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; ODBA Draggin' on the Waccamaw, Atlantic Intracoastal Waterway, Bucksport, SC'' ((RIN1625–AA08) (Docket No. USCG–2012–0201)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7564. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Potomac River, National Harbor Access Channel, MD'' ((RIN1625–AA08) (Docket No. USCG–2012–0276)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7565. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Ocean State Tall Ships Festival 2012, Narragansett Bay, RI'' ((RIN1625–AA08) (Docket No. USCG–2012–0073)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7566. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation for Marine Events, Chesapeake Bay Workboat Race, Back River, Messick Point; Poquoson, VA'' ((RIN1625–AA08) (Docket No. USCG–2012–0169)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7567. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; East Tawas Offshore Gran Prix, Tawas Bay; East Tawas, MI'' ((RIN1625–AA08) (Docket No. USCG–2012–0556)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7568. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation and Safety Zones; Marine Events in Captain of the Port Sector Long Island Sound Zone'' ((RIN1625–AA00 and RIN1625–AA08) (Docket No. USCG–2012–0111)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7569. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Lloydsville, PA and Amendment of Class D and E Airspace; Latrobe, PA'' ((RIN2120–AA66) (Docket No. FAA–2012–0301)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7570. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments'' ((RIN1625–AB86) (Docket No. USCG–2012–0306)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7571. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety and Security Zones; OPSAIL 2012 Connecticut, Thames River, New London, CT'' ((RIN1625–AA00) (Docket No. USCG–2011–1029)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7572. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''OPSAIL 2012 Virginia, Port of Hampton Roads, VA'' ((RIN1625–AA00, AA08, AA11) (Docket No. USCG–2012–0174)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7573. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments; Corrections'' ((RIN1625–AB86) (Docket No. USCG–2012–0306)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7574. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations; Narragansett Bay and Rhode Island Sound, RI'' ((RIN1625–AA01) (Docket No. USCG–2009–1131)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7575. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class C Airspace; Colorado Springs, CO'' ((RIN2120–AA66) (Docket No. FAA–2012–0564)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7576. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Fort Rucker, AL'' ((RIN2120–AA66) (Docket No. FAA–2012–0635)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7577. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Bar Harbor, ME'' ((RIN2120–AA66) (Docket No. FAA–2011–1366)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7578. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Quakertown, PA'' ((RIN2120–AA66) (Docket No. FAA–2011–0386)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7579. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Apopka, FL'' ((RIN2120–AA66) (Docket No. FAA–2011–0249)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7580. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Vero Beach, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0621)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7581. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations; Areas of the National Park System, Mammoth Cave National Park, Bicycle Routes'' (RIN1024–AD80) received in the Office of the President of the Senate on September 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC–7582. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Barbara Harder Wedding Fireworks, Lake Erie, Lake View, NY'' ((RIN1625–AA00) (Docket No. USCG–2012–0568)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7583. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of VOR Federal Airways V–10, V–12, and V–508 in the Vicinity of Olathe, KS'' ((RIN2120–AA66) (Docket No. FAA–2012–0055)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7584. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Jet Routes and VOR Federal Airways; Northeastern United States'' ((RIN2120–AA66) (Docket No. FAA–2012–0622)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7585. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendment; Amdt. No. 3491'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7586. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendment; Amdt. No. 3490'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7587. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (148); Amdt. No. 3488'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7588. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the protection of U.S. personnel abroad (DCN OSS2012–1440) recieved during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Foreign Relations.

EC–7589. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Fort Morgan, CO'' ((RIN2120–AA66) (Docket No. FAA–2012–0289)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7590. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Arcadia, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0365)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7591. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Roundtop, MT'' ((RIN2120–AA66) (Docket No. FAA–2012–0274)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7592. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Plentywood, MT'' ((RIN2120–AA66) (Docket No. FAA–2012–0310)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7593. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Billings, MT'' ((RIN2120–AA66) (Docket No. FAA–2012–0316)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7594. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (29); Amdt. No. 3489'' (RIN2120–AA65) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7595. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0185)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7596. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0423)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7597. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0291)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7598. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0490)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7599. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0802)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7600. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0748)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7601. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Univair Aircraft Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0360)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7602. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0416)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7603. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Corporation Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0961)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7604. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0766)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7605. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clopyralid; Pesticide Tolerances'' (FRL No. 9361–5) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7606. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bifenthrin; Pesticide Tolerances'' (FRL No. 9361–6) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7607. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred at the Office of the Administrative Assistant to the Secretary of the Army, Resources and Programs Agency, Resource Services-Washington (RS–W), Operating Agency 22 (OA22) during fiscal years 2005, 2006, and 2007 and was assigned Army case number 11–01; to the Committee on Appropriations.

EC–7608. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Operation and Maintenance, Army (OMA) appropriation, account 2172020, at the U.S. Army Installation Management Command (IMCOM) during fiscal year 2010 and was assigned Army case number 11–05; to the Committee on Appropriations.

EC–7609. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled ''Report to Congress on the Assessment of Industrial Base for Night Vision Image Intensification Sensors''; to the Committee on Armed Services.

EC–7610. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Certain Persons to the Entity List; Removal of Person from the Entity List Based on Removal Request; and Implementation of Entity List Annual Review Changes'' (RIN0694–AF74) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7611. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Federal Housing Administration (FHA): Section 232 Healthcare Facility Insurance Program-Strengthening Accountability and Regulatory Revisions Update'' (RIN2502–AJ05) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7612. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC–7613. A communication from the President of the United States, transmitting, pursuant to law, a report entitled ''OMB Report Pursuant to the Sequestration Transparency Act of 2012 (P.L. 112–155)''; to the Committee on the Budget.

EC–7614. A communication from the Secretary of Energy, transmitting, pursuant to law, a report of the authorization of a noncompetitive extension of five years to the Department of Energy's (DOE) contract with Battelle Memorial Institute for the management and operation of the Pacific Northwest National Laboratory; to the Committee on Energy and Natural Resources.

EC–7615. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Texas Regulatory Program'' (Docket No. TX–064–FOR) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Energy and Natural Resources.

EC–7616. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Montana Regulatory Program'' (Docket No. MT–034–FOR) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Energy and Natural Resources.

EC–7617. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Initial Test Program of Condensate and Feedwater Systems for Light-Water Reactors'' (Regulatory Guide 1.68.1) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Environment and Public Works.

EC–7618. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF–522, Revision 0, 'Revise Ventilation System Surveillance Requirements to Operate for 10 Hours per Month,' Using the Consolidated Line Item Improvement Process'' (NUREG–1430, –1431, –1432, –1433, –1434) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Environment and Public Works.

EC–7619. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List, Final Rule No. 55'' (FRL No. 9722–6) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Environment and Public Works.

EC–7620. 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 State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards; North Dakota'' (FRL No. 9715–1) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Environment and Public Works.

EC–7621. 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; Florida; New Source Review—Prevention of Significant Deterioration; Fine Particulate Matter (PM2.5)'' (FRL No. 9728–1) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Environment and Public Works.

EC–7622. 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; Arkansas; Infrastructure Requirements for the 1997 Ozone NAAQS and the 1997 and 2006 PM2.5 NAAQS and Interstate Transport Requirements for the 1997 Ozone NAAQS and 2006 PM2.5 NAAQS'' (FRL No. 9713–8) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC–7623. 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 Rules on Certain Chemical Substances'' (FRL No. 9357–2) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC–7624. 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; Revisions to the Nevada State Implementation Plan; Stationary Source Permits'' (FRL No. 9728–6) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC–7625. 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; Mississippi: New Source Review—Prevention of Significant Deterioration; Fine Particulate Matter (PM2.5)'' (FRL No. 9728–2) received during adjournment of Senate in the Office of the President

of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC–7626. 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; Arizona; Nogales PM10 Nonattainment Area Plan'' (FRL No. 9730–8) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC–7627. 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; State of Missouri'' (FRL No. 9731–3) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC–7628. 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; New Mexico; Albuquerque/Bernalillo County: Infrastructure and Interstate Transport Requirements for the 1997 and 2008 Ozone and the 1997 and 2006 PM2.5 NAAQS'' (FRL No. 9728–7) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

EC–7629. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protection of Stratospheric Ozone; Listing of Substitutes for Ozone-Depleting Substances—Fire Suppression and Explosion Protection'' (FRL No. 9729–5) received during adjournment of Senate in the Office of the President of the Senate on September 18, 2012; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 2071. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes (Rept. No. 112–09212).

S. 76. A bill to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children (Rept. No. 112–09213).

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 357. A bill to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to those emergencies, and for other purposes (Rept. No. 112–09214).

S. 1494. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act (Rept. No. 112–09215).

S. 2156. A bill to amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users (Rept. No. 112–09216).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 2282. A bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017 (Rept. No. 112–09217).

By Mr. AKAKA, from the Committee on Indian Affairs, without amendment:

S. 134. A bill to authorize the Mescalero Apache Tribe to lease adjudicated water rights (Rept. No. 112–09218).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 3315. A bill to repeal or modify certain mandates of the Government Accountability Office (Rept. No. 112–09213).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 3341. A bill to require a quadrennial diplomacy and development review, and for other purposes (Rept. No. 112–09220).

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

S. Res. 466. A resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 516. A resolution expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras.

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

S. Res. 543. A resolution to express the sense of the Senate on international parental child abduction.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 645. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1440. A bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

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

S. 3391. A bill to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

S. 3566. An original bill to provide for scientific frameworks with respect to recalcitrant cancers.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3568. An original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

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.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Christopher C. Bogdan, to be Lieutenant General.

Air Force nomination of Col. Jon A. Weeks, to be Brigadier General.

Air Force nomination of Brig. Gen. Andrew M. Mueller, to be Major General.

Air Force nomination of Brig. Gen. Donald P. Dunbar, to be Major General.

Air Force nomination of Col. Gerard F. Bolduc, Jr., to be Brigadier General.

Air Force nomination of Col. Matthew P. Jamison, to be Brigadier General.

Army nomination of Colonel David O. Smith, to be Brigadier General.

Army nomination of Michaelene A. Kloster, to be Brigadier General.

Army nomination of Col. Garrett S. Yee, to be Brigadier General.

Army nomination of Brig. Gen. Deborah A. Ashenhurst, to be Major General.

Army nominations beginning with Brig. Gen. Judd H. Lyons and ending with Brig. Gen. Lee E. Tafanelli, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nominations beginning with Brig. Gen. Kendall W. Penn and ending with Col. Keith A. Klemmer, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nomination of Brig. Gen. Michael R. Smith, to be Major General.

Army nomination of Brig. Gen. David J. Conboy, to be Major General.

Army nomination of Maj. Gen. Frederick B. Hodges, to be Lieutenant General.

Army nomination of Maj. Gen. Mark S. Bowman, to be Lieutenant General.

Army nomination of Col. Ural D. Glanville, to be Brigadier General.

Navy nomination of Rear Adm. (lh) James D. Syring, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the Records on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Adam D. Aasen and ending with Mark C. Zwyghuizen, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2012.

Air Force nominations beginning with Lance A. Aiumopas and ending with Robert S. Zauner, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2012.

Air Force nominations beginning with James H. Abbott and ending with Mario F. Zuniga, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2012.

Air Force nomination of Michael F. Wendelken, to be Major.

Air Force nominations beginning with Michael M. Howard and ending with Patrick E. Knoester, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Air Force nominations beginning with Karyn J. Ayers and ending with John M. Tudela, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Air Force nominations beginning with Kimberly A. Dale and ending with Christopher B. Vogler, which nominations were

received by the Senate and appeared in the Congressional Record on August 2, 2012.

Air Force nomination of Stephen P. Roberts, to be Colonel.

Air Force nominations beginning with Jeffrey R. Althoff and ending with Gregory T. Mccain, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nomination of Gregory S. Ulma, to be Major.

Army nomination of Patrick P. Metke, to be Major.

Army nomination of Drew D. Dukett, to be Colonel.

Army nomination of David A. Cortese, to be Lieutenant Colonel.

Army nomination of Jeffrey T. Whorton, to be Major.

Army nomination of Charles J. Romero, to be Major.

Army nominations beginning with Tanasha N. Bennett and ending with Reies M. Flores, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nominations beginning with Brad D. Bekkedahl and ending with William L. Zana, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Army nomination of George C. Sturges, to be Major.

Army nominations beginning with David W. Acker and ending with D003093, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012. (minus 1 nominee: Burton C. Glover)

Army nomination of Joseph R. Newcomb, to be Major.

Army nomination of Morohunranti O. Oguntoye, to be Major.

Army nomination of August Seeber, to be Major.

Army nominations beginning with Eric J. Albertson and ending with D011234, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Stuart N. Burruss and ending with Robert J. Quinker III, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Andre B. Abadie and ending with G001060, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with John J. Acevedo and ending with D010397, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Jeffrey S. Bell and ending with Mark R. Thornton, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Steven E. Battle and ending with Luzmira A. Torres, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Anthony H. Adrian and ending with John F. Woyte, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Fredric N. Amidon and ending with Anne E. Young, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Elizabeth A. Baker and ending with Ian J. Tolman, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Army nominations beginning with Patrick M. Arida and ending with Ali S. Zaza, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nomination of Alan T. Wakefield, to be Lieutenant Commander.

Navy nomination of Tassos J. Sfondouris, to be Lieutenant Commander.

Navy nominations beginning with Glen Cabarcas and ending with Ricardo A. Ferra, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Chuck J. Browder and ending with Christopher K. Tuggle, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Daniel Aranda and ending with Chad J. Stuewe, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Matthew R. Allen and ending with Brian T. Wierzbicki, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with William E. Blanks and ending with Jeremy J. Wagner, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Bradley H. Abramowitz and ending with Eric A. Weiss, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Charity A. Breidenbach and ending with Phillip A. Zamarripa, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Henry L. Bush and ending with Stanley C. Ware, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Kyle R. Alcock and ending with Sheree T. Williams, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Jeremiah P. Anderson and ending with Aaron L. Woolsey, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Mark J. Aid, Jr. and ending with Brian L. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Bryce D. Abbott and ending with Maxwell V. Zujewski, which nominations were received by the Senate and appeared in the Congressional Record on August 2, 2012.

Navy nominations beginning with Demetria L. Aaron and ending with Amy J. Zwettler, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Timothy M. French and ending with Bryan E. Wooldridge, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Cedric J. Abron and ending with Chadwick Y. Yasuda, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Amy H. Adair and ending with Donavon A. Yapshing, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Vincent M. J. Ambrosino and ending with Mark Verhovshek, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Kory A. Anglesey and ending with Adam G. Zajac, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Evan D. Adams and ending with Harold B. Woodruff, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Walter B. Blackwell and ending with James P. Zakar, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Elizabeth A. Aban and ending with Elizabeth M. Zuloaga, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

Navy nominations beginning with Thomas M. Brown and ending with Ralph G. S. Young, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2012.

By Mr. KERRY for the Committee on Foreign Relations.

*Sharon English Woods Villarosa, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Seychelles.

Nominee: Sharon English Woods Villarosa.

Post: U.S. Ambassador to Mauritius.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Jack Chase Woods: none; Elizabeth McKinney Woods: none.
5. Grandparents: All deceased.
6. Brothers and Spouses: John Carlton Woods: none; James Carter Woods: $8.00, 2008, Campaign for Change.
7. Sisters and Spouses: N/A.

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*Dawn M. Liberi, of Florida, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Nominee: Dawn M. Liberi.

Post: U.S. Ambassador to Burundi.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee.

1. Self: 0.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Theresa Liberi: 0.
5. Grandparents: N/A.
6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Jami and James Collins: 0; April Liberi: 0.

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* Stephen D. Mull, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

Nominee: Stephen D. Mull.

Post: Warsaw, Poland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Ryan Mull: None.
4. Parents: Faith Spracklin: None; Franklin Spracklin (deceased): None; Donald Mull: None; Susan Mull: None.
5. Grandparents: Marian Meredith (deceased): None; Richard Meredith (deceased): None; Sarah Mull (deceased): None; George Mull (deceased): None.
6. Brothers and Spouses: Jeffery Mull: None; Elaine Mull: None.
7. Sisters and Spouses: Kathy Christel: None; Neil Christel: None; Sherri Heckman: None; Timothy Heckman (deceased): None.

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* Walter North, of Washington, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

Nominee: Walter Elliott North.

Post: U.S. Ambassador to Papua New Guinea, the Solomon Islands, and the Republic of Vanuatu.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: $100 (est.), 2008, Democrats Abroad; $200 (est), 2008 (est), Richard Kelley, State Legislative Campaign, Seattle, Washington.
2. Spouse: Judith Ryon: None.
3. Children and Spouses: Michael Ryon: None; Christine Ryon: None.
4. Parents: Melora North: None; Walter North (deceased).
5. Grandparents: Walter North (deceased). Cora North (Deceased). Melora Herold (deceased). Paul Herold (deceased).
6. Brothers and Spouses: None.
7. Sisters and Spouses: Melora North: None.

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* Richard G. Olson, of New Mexico, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Pakistan.

Nominee: Richard G. Olson.

Post: Islamabad.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: 0.00.
2. Spouse: 0.00.
3. Children and Spouse: Ana Olson (daughter): $10.00, 2004, John Kerry; Isabella Olson (daughter): 0.00.
4. Parents: Richard Olson, deceased; Barbara Olson, deceased.
5. Grandparents: Gustave Olson, deceased; Ida Olson, deceased; Ralph Hawkins, deceased; Mabel Hawkins, deceased.
6. Brothers and Spouses: Philip Olson & Elisa Frost: $50.00, 2008, Barack Obama.
7. Sisters and Spouses (n/a).

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* Joseph E. Macmanus, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

Nominee: Joseph Estey Macmanus.

Post: Chief of Mission UNVIE, Chief of Mission IAEA.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Joseph Estey Macmanus: None.
2. Carol Krumbach Macmanus, spouse: None.
3. Christopher Joseph Macmanus, son: None.
4. Deceased Parents: Joseph E. Macmanus and Miriam Butterbaugh Macmanus.
5. Deceased Grandparents: Estey Butterbaugh, Minnie Rupert Butterbaugh, Jose Macmanus, Elsa Sibel Macmanus.
6. Brothers and Spouses: Thomas H. Macmanus, Stephen Macmanus, Christopher J. Macmanus: to the best of my knowledge: None.
7. Sisters and Spouses: Patricia Macmanus Grose, Mary Macmanus Ramsbottom: to the best of my knowledge: None.

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* Joseph E. Macmanus, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

Nominee: Joseph Estey Macmanus.

Post: Chief of Mission UNVIE, Chief of Mission IAEA.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Joseph Estey Macmanus: None.
2. Carol Krumbach Macmanus, spouse: None.
3. Christopher Joseph Macmanus, son: None.
4. Deceased Parents: Joseph E. Macmanus and Miriam Butterbaugh Macmanus.
5. Deceased Grandparents: Estey Butterbaugh, Minnie Rupert Butterbaugh, Jose Macmanus, Elsa Sibel Macmanus.
6. Brothers and Spouses: Thomas H. Macmanus, Stephen Macmanus, Christopher J. Macmanus: to the best of my knowledge: None.
7. Sisters and Spouses: Patricia Macmanus Grose, Mary Macmanus Ramsbottom: to the best of my knowledge: None.

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* John Hardy Isakson, of Georgia, to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations.

* Patrick J. Leahy, of Vermont, to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Department of State nominations beginning with William R. Brownfield and ending with Thomas Alfred Shannon, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 27, 2012.

Foreign Service nominations beginning with Joelle-Elizabeth Beatrice Bastien and ending with Kenneth R. Propp, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2012.

Mr. HARKIN. Mr. President, for the Committee on Health, Education, Labor, and Pensions I report favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Public Health Service nominations beginning with Melinda Astran and ending with Chelsea True, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2012.

Public Health Service nominations beginning with Donald S. Ahrens and ending with Diamond E. Zuchlinski, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2012.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(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. SCHUMER (for himself, Mr. COONS, and Mr. WHITEHOUSE):

S. 3553. A bill to amend the Immigration and Nationality Act to enhance national security, combat illegal immigration, and promote job creation, innovation, investment, and research in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. TOOMEY:

S. 3554. A bill to require an independent study and report on simulated tactical flight training in a sustained gravity environment; to the Committee on Armed Services.

By Mr. BURR:

S. 3555. A bill to amend title 38, United States Code, to require Federal agencies to

hire veterans, to require States to recognize the military experience of veterans when issuing licenses and credentials to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITEHOUSE (for himself and Mr. BLUMENTHAL):

S. 3556. A bill to provide penalties for email marketing fraud; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. SANDERS, Mr. DURBIN, Mr. BEGICH, Mr. LEAHY, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 3557. A bill to amend the Higher Education Act of 1965 to prohibit institutions of higher education that participate in programs under title IV of such Act from including predispute arbitration agreements in enrollment contracts; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3558. A bill to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PRYOR (for himself, Mr. TESTER, Mr. CONRAD, Ms. LANDRIEU, and Mr. INHOFE):

S. 3559. A bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE (for himself, Mr. LUGAR, Ms. MIKULSKI, Mr. GRASSLEY, Mr. AKAKA, Ms. COLLINS, Mr. REED, Mr. PRYOR, Ms. STABENOW, Mr. BROWN of Massachusetts, Mr. LAUTENBERG, Mr. BLUNT, Mr. BROWN of Ohio, Mr. RUBIO, Mr. BLUMENTHAL, Mr. WICKER, Mr. TESTER, and Mr. WARNER):

S. 3560. A bill to provide for scientific frameworks with respect to recalcitrant cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN:

S. 3561. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit L06, Topsail, North Carolina; to the Committee on Environment and Public Works.

By Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mr. KERRY, Ms. MIKULSKI, Mr. BEGICH, Mr. AKAKA, Mr. DURBIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. LEAHY, Mr. WYDEN, Mr. FRANKEN, Mrs. BOXER, Mr. JOHNSON of South Dakota, Mr. MERKLEY, and Mr. MENENDEZ):

S. 3562. A bill to reauthorize and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mr. CONRAD):

S. 3563. A bill to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 3564. A bill to extend the Public Interest Declassification Act of 2000 until 2018 and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself, Mrs. SHAHEEN, Mr. LAUTENBERG, Mr. HARKIN, and Ms. MIKULSKI):

S. 3565. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN:

S. 3566. An original bill to provide for scientific frameworks with respect to recalcitrant cancers; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. HUTCHISON, Mr. LIEBERMAN, Mrs. MURRAY, Mr. AKAKA, Mr. MERKLEY, Ms. KLOBUCHAR, Ms. STABENOW, Ms. MURKOWSKI, Ms. LANDRIEU, Mrs. SHAHEEN, and Mrs. BOXER):

S. 3567. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 3568. An original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes; from the Committee on Finance; placed on the calendar.

By Ms. KLOBUCHAR (for herself and Mr. HOEVEN):

S. 3569. A bill to improve the enforcement of criminal and civil law with respect to cloud computing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 3570. 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; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO (for himself, Mr. SHELBY, Mr. CORKER, and Mr. TOOMEY):

S. 3571. A bill to require the Bureau of Consumer Financial Protection to conduct a small business review panel on the qualified mortgage rule before the Bureau can go forward with a final rule; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE:

S. 3572. A bill to amend the Internal Revenue Code of 1986, title 5, United States Code, the Small Business Act, and the Small Business Investment Act of 1958 to provide certainty for small business concerns, and for other purposes; to the Committee on Finance.

By Mr. HOEVEN (for himself and Ms. MURKOWSKI):

S. 3573. A bill to recognize the primacy of States, provide for the consideration of the economic impact of additional regulations, and provide for standards and requirements relating to certain guidelines and regulations relating to health and the environment; to the Committee on Environment and Public Works.

By Mr. BLUNT (for himself, Mr. BARRASSO, Mr. BROWN of Massachusetts, Mr. COBURN, Mr. ENZI, Mr. COCHRAN, Mr. JOHANNS, Mr. BOOZMAN, and Mr. MORAN):

S. 3574. A bill to amend section 403 of the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 3575. A bill to amend the Older Americans Act of 1965 to provide equal treatment of LGBT older individuals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 3576. A bill to provide limitations on United States assistance, and for other purposes; read the first time.

By Mr. LEAHY (for himself and Mr. INHOFE):

S. 3577. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself and Ms. SNOWE):

S. Res. 559. A resolution honoring Rear Admiral Jonathan W. Bailey for his lifetime of selfless commitment and exemplary service to the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. Res. 560. A resolution commemorating the 150th anniversary of the Maryland Campaign during the Civil War; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Mr. BARRASSO, Mr. INOUYE, Mr. CRAPO, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, Ms. CANTWELL, Mr. TESTER, Mr. FRANKEN, Mr. UDALL of New Mexico, and Mr. JOHANNS):

S. Res. 561. A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; to the Committee on Indian Affairs.

By Ms. STABENOW (for herself and Ms. SNOWE):

S. Res. 562. A resolution designating the week beginning on September 10, 2012 and ending on September 14, 2012 as ''National Health Information Technology Week'' to recognize the value of health information technology in improving health quality; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. KERRY):

S. Res. 563. A resolution designating December 3, 2012, as ''National Phenylketonuria Awareness Day''; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BLUMENTHAL, Mr. PORTMAN, Mr. COONS, Mr. ROCKEFELLER, Mr. CORNYN, Mr. MANCHIN, Mr. WHITEHOUSE, Mr. DURBIN, and Mr. CASEY):

S. Res. 564. A resolution designating the month of October 2012 as ''National Medicine Abuse Awareness Month''; considered and agreed to.

By Mr. CASEY (for himself, Mr. ROBERTS, Mr. SANDERS, Mr. BROWN of Ohio, and Mr. AKAKA):

S. Res. 565. A resolution expressing support for the designation of October 20, 2012, as the ''National Day on Writing''; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. KERRY,

Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. SESSIONS, Mrs. SHAHEEN, Mr. WARNER, Mr. WEBB, Mr. WYDEN, and Mr. MENENDEZ):

S. Res. 566. A resolution designating September 29, 2012, as ''National Estuaries Day''; considered and agreed to.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. Res. 567. A resolution honoring the life and career of George Hickman; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. BEGICH, Mrs. MURRAY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mrs. HUTCHISON, Mr. HELLER, Mr. ENZI, Mr. CRAPO, Mr. NELSON of Florida, Mr. SCHUMER, Mr. BENNET, Ms. MURKOWSKI, Mr. BINGAMAN, Mrs. BOXER, Mr. DURBIN, Mr. RUBIO, Mr. COONS, Mr. LAUTENBERG, and Mrs. FEINSTEIN):

S. Res. 568. A resolution designating the week beginning September 16, 2012, as ''National Hispanic-Serving Institutions Week''; considered and agreed to.

By Mr. GRASSLEY (for himself, Mr. LEVIN, Mr. LIEBERMAN, Mrs. MURRAY, Mr. ALEXANDER, Mr. ENZI, Mr. COCHRAN, Mr. BLUNT, Ms. LANDRIEU, and Ms. STABENOW):

S. Res. 569. A resolution designating the week beginning October 21, 2012, as ''National Character Counts Week''; considered and agreed to.

By Mr. BLUNT (for himself and Mrs. MURRAY):

S. Res. 570. A resolution designating November 8, 2012, as ''National Parents as Teachers Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 65, a bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians.

S. 202

At the request of Mr. PAUL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal Reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of S. 202, supra.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 339

At the request of Mr. BAUCUS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 563

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 563, a bill to provide for equal access to COBRA continuation coverage.

S. 751

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 751, a bill to require the Secretary of Commerce to develop a comprehensive national manufacturing strategy, and for other purposes.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 811

At the request of Mr. MERKLEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 811, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 821

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 821, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 891

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 961

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 961, a bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1309

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1309, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1391

At the request of Mr. TESTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1391, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with post-traumatic stress disorder or mental health conditions related to military sexual trauma, and for other purposes.

S. 1450

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1450, a bill to amend title 23, United States Code, to provide for the establishment of a commercial truck safety program, and for other purposes.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1461

At the request of Mr. NELSON of Florida, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1461, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 1782

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1782, a bill to provide

for the reduction in unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

S. 1862

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1862, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1872

At the request of Mr. CASEY, the names of the Senator from Delaware (Mr. COONS) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1910

At the request of Mr. LIEBERMAN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 2032

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2032, a bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers.

S. 2047

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2047, a bill to authorize the Secretary of Education to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools.

S. 2057

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2057, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 2088

At the request of Mr. ROCKEFELLER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2088, a bill to amend the Internal Revenue Code of 1986 to permanently double the amount of start-up expenses entrepreneurs can deduct from their taxes.

S. 2123

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2123, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal antidiscrimination and antiretaliation claims, and for other purposes.

S. 2192

At the request of Mr. PRYOR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2192, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 2250

At the request of Ms. STABENOW, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2250, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2472

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2472, a bill to provide for the issuance and sale of a semipostal by the United States Postal Service for research and demonstration projects relating to autism spectrum disorders.

S. 2620

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3227

At the request of Mr. NELSON of Florida, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3227, a bill to enable concrete masonry products manufacturers and importers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 3239

At the request of Mrs. FEINSTEIN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 3239, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 3289

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3289, a bill to expand the Medicaid home and community-based services waiver to include young individuals who are in need of services that would otherwise be required to be provided through a psychiatric residential treatment facility, and to change references in Federal law to mental retardation to references to an intellectual disability.

S. 3310

At the request of Mr. LUGAR, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3310, a bill to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, and for other purposes.

S. 3325

At the request of Mr. BEGICH, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3325, a bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, in coordination with the Secretary of Education, to carry out a 5-year demonstration program to fund mental health first aid training programs at 10 institutions of higher education to improve student mental health.

S. 3331

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 3331, a bill to provide for universal intercountry adoption accreditation standards, and for other purposes.

S. 3347

At the request of Mr. BROWN of Ohio, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 3347, a bill to require reports on countries with which the United States negotiates trade agreements, to establish terms for future trade agreements, and to enhance the promotion of exports of United States goods and services, and for other purposes.

S. 3391

At the request of Ms. KLOBUCHAR, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 3391, a bill to amend section 353 of the Public Health Service

Act with respect to suspension, revocation, and limitation of laboratory certification.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Montana (Mr. BAUCUS), the Senator from Virginia (Mr. WARNER), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mr. NELSON) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

S. 3402

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3402, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 3407

At the request of Mr. WYDEN, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of 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.

S. 3430

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3430, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 3461

At the request of Mr. BROWN of Ohio, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 3461, 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.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Hawaii (Mr. INOUYE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3494

At the request of Mr. FRANKEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3494, a bill to amend the Internal Revenue Code of 1986 to qualify formerly homeless individuals who are full-time students for purposes of low income housing tax credit.

S. 3500

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3500, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 3512

At the request of Mr. HOEVEN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 3512, a bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels.

S. 3522

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 3522, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3523

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3523, a bill to amend title 17, United States Code, to extend protection to fashion design, and for other purposes.

S. 3525

At the request of Mr. TESTER, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 3527

At the request of Mr. SCHUMER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 3527, a bill to provide for enhanced criminal penalties for individuals who file a SEVP certification petition under false pretenses, to prohibit certain schools from accessing SEVIS or participating in the SEVP and for other purposes.

S. 3536

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3536, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit for hiring veterans, and for other purposes.

S. 3539

At the request of Mr. KERRY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 3539, a bill to encourage the adoption and use of certified electronic health record technology by safety net providers and clinics.

S. 3546

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 3546, a bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages.

S. 3547

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3547, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 3551

At the request of Mr. DEMINT, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Utah (Mr. LEE), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 3551, a bill to require investigations into and a report on the September 11–13, 2012, attacks on the United States missions in Libya, Egypt, and Yemen, and for other purposes.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 50

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 50, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.

S. CON. RES. 46

At the request of Mr. WEBB, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of Congress that an appropriate site at the former Navy

Dive School at the Washington Navy Yard should be provided for the Man in the Sea Memorial Monument to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

S. CON. RES. 50

At the request of Mr. RUBIO, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. BROWN), the Senator from Oklahoma (Mr. COBURN) and the Senator from Illinois (Mr. KIRK) 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. 176

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 176, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

S. RES. 181

At the request of Mr. GRAHAM, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 181, a resolution designating May 15, 2011, as ''National MPS Awareness Day''.

S. RES. 232

At the request of Mr. MENENDEZ, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

S. RES. 434

At the request of Mr. WARNER, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. Res. 434, a resolution supporting the goal of preventing and effectively treating Alzheimer's disease by the year 2025, as articulated in the draft National Plan to Address Alzheimer's Disease from the Department of Health and Human Services.

S. RES. 466

At the request of Mr. DURBIN, his name and the name of the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 466, a resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko.

S. RES. 543

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

S. RES. 556

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. Res. 556, a resolution expressing the sense of the Senate that foreign assistance funding to the Governments of Libya and Egypt should be suspended until the President certifies to Congress that both governments are providing proper security at United States embassies and consulates pursuant to the Vienna Convention on Consular Relations.

S. RES. 558

At the request of Mr. HELLER, his name was added as a cosponsor of S. Res. 558, a resolution congratulating the athletes from the State of Nevada and throughout the United States who participated in the 2012 Olympic and Paralympic Games as members of the United States Olympic and Paralympic Teams.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WHITEHOUSE (for himself and Mr. BLUMENTHAL):

S. 3556. A bill to provide penalties for email marketing fraud; to the Committee on the Judiciary.

TELEMARKETING FRAUD MODERNIZATION ACT

Mr. WHITEHOUSE. Mr. President, I rise today to talk about an issue that is extremely important to people in Rhode Island and across the United States: protecting consumers and securing the integrity of Medicare by preventing waste and fraud. Individuals who commit Medicare fraud are not simply stealing from the government, they are stealing from the men and women who have paid into the system their whole lives, they are stealing from our Nation's seniors, and they are stealing from the taxpayers. We have an obligation to ensure that Medicare dollars are spent keeping seniors healthy, and not lining the pockets of predatory opportunists.

In March, I held a hearing in Rhode Island on efforts at the Federal, State, and local levels to identify and reduce fraud in Medicare and Medicaid. I heard testimony from a representative of the Centers for Medicare and Medicaid Services, as well as State and Federal law enforcement officials, including Rhode Island's Attorney General, Peter Kilmartin; and the U.S. Attorney for Rhode Island, Peter Neronha. They discussed a number of the efforts underway to identify potentially fraudulent claims, recover improper payments, and use state-of-the-art analytic software to identify and prevent improper payments.

I was pleased to hear about the steps being taken to modernize Medicare's anti-fraud efforts, but there is still much that can be done. In particular, I believe we must crack down on deceptive and fraudulent telemarketing and email schemes that force unwanted and unnecessary medical equipment onto unsuspecting seniors. I have heard from Rhode Islanders concerned about these ''too-good-to-be-true'' offers. During my March hearing, I heard testimony about Medicare beneficiaries receiving unsolicited phone calls from a company called Planned Eldercare, which promised to provide them with free medical products. If a senior agreed to the offer, Planned Eldercare would submit as many claims as it could to Medicare on that beneficiary's behalf, even if the products for which they were submitting claims were not medically necessary or even requested by the senior. This scheme defrauded Medicare out of more than $2.2 million.

These schemes prey on older Americans and rob Medicare of millions of dollars that would otherwise be used to improve the health and well-being of seniors. We must do more to prevent fraud of this kind, which is why I am joining with my colleague, Senator Blumenthal, in introducing the Telemarketing Fraud Modernization Act. This bill would close loopholes in the existing telemarketing fraud statute and update the law to include Medicare, Medicaid, and health care fraud, as well as schemes to fraudulently induce investments—like Ponzi schemes. It would also expand existing law to apply to schemes perpetrated via email, instant messages, and other forms of electronic communication. Updating the telemarketing fraud statute will give law enforcement agencies the tools they need to rein in scam artists, protect our Nation's seniors, and strengthen the integrity of the Medicare program.

I look forward to continuing to work with my colleagues on both sides of the aisle on this important issue.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. SANDERS, Mr. DURBIN, Mr. BEGICH, Mr. LEAHY, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 3557. A bill to amend the Higher Education Act of 1965 to prohibit institutions of higher education that participate in programs under title IV of such Act from including predispute arbitration agreements in enrollment contracts; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRANKEN. Mr. President, I rise today to talk about a bill I have just introduced, the Arbitration Fairness for Students Act, and to talk about why it is so important to protect our Nation's students.

Access to higher education is becoming increasingly important in our Nation. In 2018, 70 percent of the jobs in

our State, Minnesota, will require some postsecondary education. We must also make sure access to higher education remains and stays a positive experience and not a damaging one. Colleges and universities need to deliver on the promises they make to students. If they don't, students need to be able to hold them accountable.

That is why I have introduced this bill today along with Senator HARKIN and six cosponsors, including Senator SANDERS. It would prohibit any school participating in the title IV Federal student aid system from forcing its students to forego access to the courts when they have a valid dispute and instead forcing them into private arbitration proceedings. This bill is simply about accountability. It is about the basic American right to seek justice in our court system—a right that is, unfortunately, being denied now to thousands of students after the landmark Supreme Court decision in the AT&T Mobility v. Concepcion case.

A recent report from Public Citizen and the National Association of Consumer Advocates highlights how that decision is harming students. Before that decision, thousands of students who had attended a chain of culinary schools formed a class action lawsuit alleging that the school had exaggerated the salaries of its graduates, and they won. The students received payments of up to $20,000 each, which they desperately needed since, according to the lawsuits, these students typically had more than $40,000 in student loan debt.

But that was before the Concepcion decision, which now allows corporations to block class action lawsuits through the use of mandatory arbitration clauses in their contracts. Now, a group of students who can prove they were lied to by their college can be barred from accessing our court system. I think that is wrong, and my bill would change that.

But don't just take it from me. Take it from judges who are ruling in the post-Concepcion world and who believe that students are being hurt. In one recent case students alleged that a school misrepresented basic facts, such as the cost of education and the school's accreditation status. The students even showed they had to sign the enrollment contract, which contained the mandatory arbitration clause, before they were allowed to speak to financial aid counselors.

The court ruled against the students, citing the Concepcion decision. According to the court:

> The argument had considerable validity and the court would likely have found the Arbitration Agreements at issue here unconscionable . . . if it were issuing this decision pre-Concepcion.

The court also said that Concepcion ''likely foreclosed the possibility of any recovery for many wronged individuals.''

As I said, this bill is about accountability. It is also about college affordability. Our higher education system often requires students to take on tens of thousands of dollars in debt. In exchange for this debt, students believe they are receiving an education that will allow them to pay that money back, often because that is exactly what the school is telling them. But what if the school is lying? Students need to be able to hold those schools accountable for their actions. Otherwise, what is going to stop other schools from charging whatever they want and convincing their students they can afford it by lying? We can stop these anticonsumer, antistudent contracts, and my bill would do just that.

Congress has acted several times to protect individual industries from abuse of mandatory arbitration clauses. In 2001, Congress heard from William Shack, a long-time automobile dealer from Nevada. He told his story to Congress about how he and a partner had been working together to open a Saturn dealership, investing a lot of money, when Saturn suddenly pulled the deal.

As a result of the arbitration clause in their contract, Mr. Shack and his partner were required to arbitrate the dispute. In his testimony, he said Federal legislation was the only remedy available to protect auto dealers from the imposition of these unfair contract provisions and to preserve State procedural and substantive protections. He explained:

> We reject categorically the idea that we ''voluntarily'' agreed to submit to mandatory binding arbitration.

The most compelling portion of Mr. Shack's testimony was this:

> [T]he dispute drove home to us in a drastic fashion just how one-sided the mandatory binding arbitration process can be for dealers. We were surprised to learn that, despite the great system of justice that we have in this country, we could be deprived of the basic right to an impartial decision on the merits of our case. That is a grave injustice.

In response to stories like Mr. Shack's, Senator ORRIN HATCH introduced the Motor Vehicle Franchise Contract Arbitration Fairness Act. The bill had 66 cosponsors—an equal number of Democrats and Republicans. Unsurprisingly, there was opposition to this legislation—the Chamber of Commerce testified against it. But Congress decided to prioritize the rights of auto dealers to seek justice in our courts, and in November of 2002, Congress passed this bill and made it law.

Today automobile dealers cannot be bound by mandatory arbitration provisions in their contracts with their manufacturers. This change didn't result in a flood of litigation. It simply provided some equal footing for small auto dealerships to bargain with the large manufacturers. Once Congress determined that this particular industry was subject to the abuse, it took action to protect the vulnerable party.

Congress again acted in 2007 to protect members of our Armed Services. Congress heard from military leaders that predatory lending targeted at our Nation's servicemembers was impairing our country's military readiness. In response, Republican Senator Jim Talent from Missouri, along with his colleague Senator BILL NELSON of Florida, a Democrat, introduced an amendment to the 2006 national defense authorization bill. Their provision prohibited predatory lending practices, including a prohibition on enforcing mandatory arbitration clauses in financial agreements with servicemembers. This amendment passed the Senate unanimously, and it went into effect in 2007.

Despite strong opposition from the Wall Street lobby, Congress came together in a bipartisan manner to target abuses against our servicemembers.

In addition to auto dealers and servicemembers, Congress has also taken up the plight of poultry growers. In a 2007 hearing in the Senate Agriculture Committee, one witness shared this terrible story. Gertrude Overstreet was a 67-year-old contract poultry farmer. She operated two chicken houses, so her total monthly income, including food stamps, was less than $1,000 a month for her and her husband. Mrs. Overstreet had a 10th grade education.

When the poultry producer for whom she worked violated the terms of their agreement, that company required Mrs. Overstreet to bring her claim into arbitration, where she was required to pay $27,000 in upfront costs before she could even get a hearing. Mrs. Overstreet didn't know what arbitration was or that her legal remedies had been stripped from her. This is an elderly couple who could not afford the cost of their medication, much less $20,000 in upfront arbitration fees.

This might be the most compelling example of disparate bargaining power, a giant poultry processor versus Mrs. Overstreet. But Senator GRASSLEY took up this cause and introduced the Fair Contracts for Growers Act. Thanks to his efforts, when the farm bill passed the following year, it included provisions that enabled poultry farmers to opt out of mandatory arbitration clauses imposed by the big processors.

Most recently, Congress took up an amendment that I introduced in the national defense authorization bill in the fall of 2009. Some of the most offensive uses of mandatory arbitration clauses that I have seen are by overseas military contractors against women who have been victimized on the job. Too many women working for military contractors have had to endure unimaginable workplace harassment and environments. Those women deserve their right to a day in court just like the auto dealers, the servicemembers, and the poultry farmers. Once again, the amendment passed with broad bipartisan support. Once again, Congress took steps to tackle the most egregious abuses of mandatory arbitration.

When confronted with a group that has been victimized by mandatory arbitration clauses, Congress has repeatedly taken steps to protect the little guy and their right to a day in court, and we have done so on a bipartisan basis. I believe Minnesota's students—and students across the country—deserve the same protection we have afforded to auto dealers, to servicemembers, poultry farmers, and employees of military contractors. The Arbitration Fairness for Students Act would provide that protection, and I urge my colleagues to support it.

By Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mr. KERRY, Ms. MIKULSKI, Mr. BEGICH, Mr. AKAKA, Mr. DURBIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. LEAHY, Mr. WYDEN, Mr. FRANKEN, Mrs. BOXER, Mr. JOHNSON of South Dakota, Mr. MERKLEY, and Mr. MENENDEZ):

S. 3562. A bill to reauthorize and improve the Other Americans Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SANDERS. Mr. President, today I am very proud to introduce the Older Americans Act reauthorization of 2012 bill along with 14 of my colleagues, including Senators BLUMENTHAL, KERRY, MIKULSKI, BEGICH, AKAKA, DURBIN, GILLIBRAND, KLOBUCHAR, LEAHY, WYDEN, FRANKEN, JOHNSON, and MERKLEY. This bill is the result of an impressive team effort. We have reached out to a number of members on the committee and others who have brought forth ideas of their own, and I am very proud as chairman of the Subcommittee on Primary Health and Aging to have introduced this bill. I wish to thank the director of the subcommittee, Ashley Carson Cottingham, for her work, as well as Sophie Kasimow and Erica Solway.

It is disappointing to me that this important piece of legislation has not been dealt with during this session, but on behalf of the millions of elderly people to whom it applies and for whom it will make life better, I am introducing it today because it will lay the groundwork for what we have to do next session.

Originally enacted in 1965, the Older Americans Act was the first edition by the Federal Government to help senior citizens remain independent in their homes and in their communities. The Older Americans Act has historically received bipartisan support.

This act provides Federal funding for some important programs with which many Americans are familiar. Among others is the Meals on Wheels Program. All over America we have seniors who are frail, who are unable to leave their homes, and every single day all over this country there are volunteers who are delivering hot, nutritious meals to seniors. I wish to thank all of those volunteers and to tell them we are going to do the best we can to increase funding to end some of those waiting lines that now exist throughout this country in terms of seniors being able to get the Meals on Wheels Program.

Another important nutrition program the Older Americans Act deals with is the Congregate Meal Program. Every day in Vermont and I know all over this country the elderly come to senior centers, where they socialize and have a good time and are able to break through their isolation and also receive nutritious meals. The meals they receive are significantly funded by the Congregate Meal Program. In my view, they are inadequately funded, and we want to increase funding for that program as well.

I would mention that in the State of Vermont alone—just one small State—almost 1 million Congregate and Meals on Wheels are served every single year. That is 1 million meals in a small State such as Vermont.

Mr. President, we are in the midst of a terrible recession. Unemployment is too high, wages are too low, and many people have lost their homes. But in the midst of this recession, we do not talk enough about the plight of many elderly people. They are living their lives, often in great financial distress, under the radar screen. I think we are not paying enough attention to their problems.

Today, incredibly enough, one in five seniors over the age of 65 is living on an average income of $7,500 per year, and the number of seniors going hungry is rising. Hunger among seniors in the United States today is a serious problem. In fact, there are over 5 million seniors who face the threat of hunger and others who are struggling every single day to make sure they have enough food in the refrigerator to take care of their most basic needs.

The very good news is that the Older Americans Act has developed programs to address these needs. Yet, because we have more seniors who are in need of these programs, it is absolutely imperative that we address the problems of hunger and make sure every senior in this country gets the nutrition he or she needs.

This bill we are submitting today with 14 cosponsors will request higher authorization for nutrition programs, for supportive services, and for jobs programs. One of the things the Older Americans Act does—and not a lot of people know this—is it provides employment opportunities for many seniors. This is important because not only does it allow hard-pressed seniors to earn additional revenue, but it also allows them to go out into the workforce and put meaning into their lives, which is extremely important. This legislation also provides for chronic disease self-management and the Long-Term Care Ombudsman Program. The bill also strengthens efforts to identify and prevent elder abuse—a serious problem in our country—support for family caregivers and care coordination activities, workforce for seniors, and increases protections for seniors living in nursing homes and receiving home care services.

Mr. President, we need to see the reauthorization of the Older Americans Act early in the next Congress. With 10,000 baby boomers turning 65 each day and middle-class families experiencing rising costs from education to health care as well as the need to provide care to their aging relatives, we are at a critical moment in terms of how we address the very serious problems facing senior citizens.

The interesting point about the Older Americans Act and about the Nutrition Program is that while, yes, it is an investment of Federal dollars, in the long run it actually saves us money. We had a very interesting hearing on this issue, and we heard from physicians who told us what common sense would suggest. If seniors do not get the nutrition they need, if they become malnourished, they are obviously more likely to become ill, end up in an emergency room or in the hospital. In addition, when we have senior citizens who are not getting the care and attention they need at home, the nutrition they need, they are more likely to suffer serious falls, break hips, and end up in a hospital, at great expense.

So the bottom line here is not really rocket science. It is that if we make sure seniors throughout the country—those who are vulnerable, who are frail, who do not have a lot of money—get the nutrition and the attention they deserve while at home, they will be healthier and less likely to end up in emergency rooms and in hospitals at great expense to our health care system. So investing in the Older Americans Act is not only the right thing to do, it is not only the humane thing to do in terms of taking care of the most vulnerable and fragile people in our society, it also makes good financial sense for our country.

Mr. President, I thank very much the 14 cosponsors we have. We are going to aggressively do our best to make sure this legislation is passed either in the lameduck session or when we return next year.

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

Mr. FRANKEN. Mr. President, I would like to associate myself with the remarks of the Senator from Vermont. I am one of the cosponsors of the reauthorization of the Older Americans Act, and before I talk about a bill I have just introduced, I would like to underscore the fact that the Older Americans Act was introduced in 1965, and it allows seniors to stay in their homes and also saves money. It costs $6 a day to do Meals on Wheels per senior. This allows a senior to stay in their home and not go to a nursing home. We know what a nursing home costs every day. So this is an example of common sense. Seniors want to stay in their homes if they can.

I have been with the Presiding Officer, my colleague from the State of

Minnesota, doing roundtables on the Older Americans Act. It is a great program that we need to reauthorize in order to do really a commonsense thing, which is allow seniors to stay where they want to stay—in their homes—and at the same time not have them spending the kind of money they would be spending in a nursing home or in that kind of facility. So I commend the Senator from Vermont.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Mrs. HUTCHISON, Mr. LIEBERMAN, Mrs. MURRAY, Mr. AKAKA, Mr. MERKLEY, Ms. KLOBUCHAR, Ms. STABENOW, Ms. MURKOWSKI, Ms. LANDRIEU, Mrs. SHAHEEN, and Mrs. BOXER):

S. 3567. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, I rise to introduce the National Women's History Museum Commission Act of 2012, a bill that would create a commission to evaluate and plan into the establishment of a museum that would be dedicated to women's history in our Nation's capital city. I appreciate the co-sponsorship of Senator MIKULSKI, Senator HUTCHINSON, Senator LIEBERMAN, Senator MURRAY, Senator AKAKA, Senator MERKLEY, Senator KLOBUCHAR, Senator STABENOW, Senator MURKOWSKI, Senator LANDRIEU, Senator SHAHEEN, and Senator BOXER.

American women have made invaluable contributions to our country in such diverse fields as government, business, medicine, law, literature, sports, entertainment, the arts, and the military. The need for a museum recognizing the contributions of American women is long overdue.

In 1999, a Presidential commission on commemorating women in American history concluded that, ''Efforts to implement an appropriate celebration of women's history in the next millennium should include the designation of a focal point for women's history in our Nation's capital.''

Although Congress has made commendable provisions for the National Museum for African American History and Culture, the National Law Enforcement Museum, and the National Museum of the American Indian, there is still no institution in the capital region dedicated to women's role in our country's history.

This bill would be a good step toward rectifying this oversight. The bill would simply establish a commission, similar to what was done for the African American History and Culture Museum, to develop a feasible plan for establishing such a museum in here in Washington, D.C.

It is important to note that, unlike previous museum commissions, taxpayers will not shoulder the funding of this project. The proposed legislation calls for the commission to fund its own costs.

A museum dedicated to women's history would help ensure that future generations understand what we owe to the many generations of American women who have helped build, sustain, and advance our society. They deserve a museum to present the stories of pioneering women like abolitionist Harriet Tubman, founder of the Girl Scouts Juliette Gordon Low, Supreme Court Justice Sandra Day O'Connor, astronaut Sally Ride, and Senator Margaret Chase Smith.

Yes, of special pride to the State of Maine is a legendary predecessor in the Senate seat I now hold: Margaret Chase Smith, the first woman nominated for President of the United States by a major political party, and the first woman elected to both houses of Congress. Senator Smith began representing Maine in the U.S. House of Representatives in 1940, won election to the Senate in 1948, and enjoyed bipartisan respect over her long career for her independence, integrity, wisdom, and courage. She remains my role model and, through the example of her public service, an exemplar of the virtues that would be honored in the National Women's History Museum.

Again, I urge my colleagues to support this legislation.

By Ms. SNOWE:

S. 3572. A bill to amend the Internal Revenue Code of 1986, title 5, United States Code, the Small Business Act, and the Small Business Investment Act of 1958 to provide certainty for small business concerns, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that will boost America's small businesses and help them escape unnecessary regulations that are stifling creativity, growth, and job creation. This legislation will encourage small businesses to invest and hire, giving the economy a much needed lift.

Two of the most vital issues looming over small business job creators are tax and regulatory uncertainty. This bill aims to, among other things, deliver targeted tax relief to small businesses with eight different tax provisions, and protect small businesses from burdensome regulations. The Restoring Tax and Regulatory Certainty to Small Businesses Act of 2012 will provide small business owners and entrepreneurs with the confidence they need to expand, thrive, and prosper in today's insecure economy.

My friend and colleague, Small Business Committee Chair LANDRIEU, recently proposed a small business relief act with some similar measures. However, Chair LANDRIEU's bill lacks many of the tax and regulatory reforms that small businesses are seeking. While her bill does contain some measures that I support, and which I have worked with her to include in a freestanding bipartisan small business jobs bill, it does not include any provisions to protect small businesses from arduous regulations. Additionally, it omits tax provisions that were included in our joint bill, S. 2050, that need to be addressed. By and large, this bill has some merits and I commend Chair LANDRIEU for pressing forward the national conversation on these critical issues, but the bill I am introducing today goes further by including both regulatory, and additional tax relief for small businesses.

The Restoring Tax and Regulatory Certainty to Small Businesses Act includes eight indispensable tax extenders that will provide targeted tax relief to small businesses and extend the essential tax relief provisions that were included in the bipartisan Small Business Jobs Act of 2010, P.L. 111–240. We have endured more than 40 straight months of unemployment over 8 percent and have yet to see changes implemented to ease the burdens on job creators. With this bill, the Nation's small businesses, which create at least two-thirds of all new jobs, will finally enjoy tax relief in many different forms.

Small businesses should be rewarded for taking risks and increasing investments. Under this bill, the 100-percent capital gains exclusion will be extended, as will the availability of Section 179 expensing, which gives businesses the option of writing off the cost of qualifying capital expenses in the year of acquisition in lieu of recovering these costs over time through depreciation. Additionally, the carryback of general business credits to offset 5 years of taxes as a cash-flow tool for businesses that are currently not realizing profits will be extended, giving small businesses even more funds to put toward future endeavors.

Prior to the enactment of the Small Business Jobs Act, taxpayers could generally only claim allowable general business credits against their regular tax liability, and only to the extent that their regular tax liability exceeded their alternative minimum tax—AMT—liability. With this bill, qualified small businesses will now be able to reduce their AMT liability for general business credits by allowing credits to be applied against regular income tax and AMT liability.

Additionally, this bill will permit contractors that do not complete contracts within a single year to benefit from bonus depreciation. Another provision was designed to benefit businesses that were initially C corporations, but elected to be taxed as S corporations and had net built-in gains when they made the S corporation election. Under this bill, small businesses will also be able to deduct more for startup costs, and be able to deduct health insurance premiums against payroll taxes, both of which are significant matters to new and developing small business owners. Thanks to these new tax provisions, business owners will be empowered to increase participation in domestic and global markets.

Besides these critical tax provisions, the bill also provides real, meaningful

regulatory relief for job creators. Since the enactment of the Small Business Regulatory Enforcement Fairness Act of 1996, P.L. 104–121, more than 50,000 new rules have gone into effect, each with an estimated impact of more than $100 million annually. More than 3,000 new Federal rules are established each year. And alarmingly, small firms with fewer than 20 employees bear a disproportionate burden of complying with Federal regulations. These small firms pay an annual regulatory cost of $10,585 per employee, which is 36 percent higher than the regulatory costs facing larger firms. This bill will strengthen existing laws and enable the SBA Office of Advocacy to protect small businesses from these burdensome regulations.

The Restoring Tax and Regulatory Certainty to Small Businesses Act incorporates the latest version of the Freedom from Restrictive, Excessive, Executive Demands and Onerous Mandates, FREEDOM, Act—a necessary, targeted regulatory reform bill that will provide small businesses with much needed relief from onerous, one-size-fits-all Federal regulations. These provisions would: (a) require agencies to consider foreseeable indirect costs of rules; (b) increase the number of small business review panels charged with helping agencies better consider small businesses during the rulemaking process; (c) add teeth to the existing requirement that agencies regularly review the regulations on their books to determine if they are outdated or needlessly burdensome; and (d) allow small businesses to seek judicial review during the proposed rule stage, concerning whether an agency complied with its legal obligation to conduct an economic impact analysis with the rulemaking. Regrettably, current law does not allow small businesses to challenge this in court until after a burdensome rule is finalized, when it is already too late.

A recent survey of 500 small business owners along the east coast found that 71 percent of employers plan to maintain current employee levels and only 21 percent plan to hire one or two more workers in the near future. Business owners are reluctant to hire because of the sluggish pace at which the U.S. economy is recovering, the uncertain fiscal future, and the overly burdensome regulations currently in existence. The NFIB reported that small business optimism is also at its lowest level since October 2011. Now is the time to reverse these trends and give small businesses, our one bright spot of job creation, the certainty and motivation they need to grow and provide more jobs.

By Mr. LEAHY (for himself and Mr. INHOFE):

S. 3577. A bill to eliminate conditions in foreign prisons and other detention facilities that do not meet primary indicators of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

Mr. LEAHY. Mr. President, I am very pleased to join today with the senior Senator from Oklahoma, Senator INHOFE, in introducing legislation that has already attracted broad support—from across the social and political spectrum.

This bill, titled the Foreign Prison Conditions Improvement Act of 2012, seeks to address a much neglected, global human rights and humanitarian problem—the inhumane treatment of people in foreign prisons and other detention facilities.

On any given day, millions of people are languishing in foreign prisons, many in pretrial detention having never been brought before a judge or formally charged or proven guilty of anything, deprived of their freedom in abysmal conditions, often for years longer than they could have been sentenced to prison if convicted.

Others are imprisoned after being convicted of offenses, often after woefully unfair trials, including for nothing more than peacefully expressing political or religious beliefs or defending human rights. Regardless of their status they have one thing in common. They are deprived of the most basic rights and necessities—safe water, adequate food, essential medical care, personal safety, and dignity.

Anyone who has been inside one of these facilities, or seen photographs or press reports of what they are like, understands that this is about the mistreatment of human beings in ways that are reminiscent of the Dark Ages.

A few examples illustrate the point. In Haiti's National Penitentiary before the 2010 earthquake, more than 4,000 prisoners were confined in a space built for less than 900. Many did not have room to lie down and had to sleep standing up. Sanitation was practically non-existent. Deadly contagious diseases were rampant. The overwhelming majority of inmates had never been formally charged, never seen a lawyer or a judge. The earthquake damaged the prison and the prison guards fled, leaving the inmates to fend for themselves without food or water. They managed to get out, but the squalid facility filled up again.

I recall a newspaper article about how in Benin, in West Africa, the skin of prisoners was ragged from the extraction of fly larvae, an affliction that is symptomatic of the deplorable conditions. Many inmates suffer from tuberculosis, scabies, parasites, lung infections or other illnesses. The prison in Abomey, located in southern Benin, was built in 1904 to house a maximum of 150 prisoners. More than 1,000 have reportedly been confined there.

In February of this year, a fire at the Comayagua Prison in Honduras killed 360 inmates. In one overcrowded cell block only 4 of 105 prisoners survived. More than half of those who died were waiting to be charged or tried.

It is common in prisons from Latin America to the Middle East, Africa, and Asia for inmates to be severely malnourished and to go for months without being able to wash. Many prisoners depend for survival on food brought to them by relatives. In many countries individuals awaiting trial, young and old, are housed together with convicted, violent criminals.

Prisoners and other detainees in many countries are also routinely victimized by poorly trained, abusive guards who are virtually unsupervised and unaccountable to any higher authority. Sexual abuse of men, women and children is common.

A government commission in Cameroon reported that an average of five prisoners die per month in a prison there, simply from lack of proper medical care. Inmates in many countries suffer from HIV/AIDS and other illnesses in prisons with no medical records, where doctors do not enter. Prisoners intentionally cut or otherwise harm themselves in the hope of receiving medical attention for life-threatening illnesses. If and when they are released they infect the local population.

A New York Times article described how prisoners in Zambia were punished by being stripped naked and held in solitary confinement in small, windowless cells, sometimes for days on end, in ankle-to-calf-high water contaminated with their own excrement. It is like something out of The Count of Monte Cristo, only worse because it is happening in the 21st Century. But the article went on to describe how Zambia's Prison Service conducted its own internal audit, appointed a new medical director, and allowed human rights workers access to its facilities. The legislation Senator INHOFE and I are introducing seeks to provide incentives for those kinds of improvements. Our bill would do the following:

First, it calls attention to this long ignored problem. Most people know little if anything about what goes on inside foreign prisons, and many would prefer not to know.

Second, it sets forth primary indicators for the elimination of inhumane conditions in foreign prisons and other detention facilities, such as human waste facilities that are sanitary and accessible, and adequate ventilation, food and safe drinking water.

Third, it requires the Secretary of State to report annually on the conditions in prisons and other detention facilities in at least 30 countries receiving United States assistance or under sanction by the United States, selected by the Secretary's determination that such conditions raise the most serious human rights or humanitarian concerns.

Fourth, it encourages the Secretary and the Administrator of the U.S. Agency for International Development to furnish assistance for the purpose of eliminating inhumane conditions where such assistance would be appropriate and beneficial.

For countries that are not making significant efforts to eliminate such

conditions, the Secretary is to enter into consultations with their government to achieve the purposes of the Act.

The legislation also provides for training of Foreign Service Officers, and directs the Secretary to designate, within the Department of State's Bureau for Democracy, Human Rights, and Labor, an official with responsibility for implementing the provisions of the Act.

Finally, it authorizes the expenditure of funds to implement the Act.

Once enacted, the Foreign Prison Conditions Improvement Act of 2012 will help foreign governments ensure that prisoners in their countries are treated as any people deprived of their freedom should be—as human beings, with dignity, in safety, and provided the basic necessities of life.

In countries around the world, the United States is helping to reform justice systems and strengthen the rule of law. No justice system can claim to deliver justice if prisoners and other detainees are treated like animals, or worse. By helping to change attitudes, and showing how with relatively little money prison conditions can be significantly improved, we can help advance the cause of justice more broadly.

Millions of people around the world look to the United States as a defender of justice. This legislation will further that goal and it reflects the best instincts of the American people. It has already been endorsed by a wide range of groups, including Amnesty International, USA; Baptist World Alliance, Division of Freedom and Justice; Ethics and Religious Liberty Commission of the Southern Baptist Convention; Human Rights First; Human Rights Watch; International CURE; International Justice Mission; International Prison Chaplains' Association; Jewish Council for Public Affairs; Just Detention International; Justice Fellowship/Prison Fellowship Ministries; National Association of Evangelicals; National Religious Campaign Against Torture; New Evangelical Partnership for the Common Good; Open Society Policy Center; Penal Reform International; Religious Action Center of Reform Judaism; United Methodist Church, General Board of Church and Society; and the United States Conference of Catholic Bishops. I want to thank these groups for their support and their efforts to focus attention on this urgent problem.

Identical legislation is being introduced today in the House by Representatives CHRIS SMITH and RUSS CARNAHAN, both of whom care deeply about this issue, so this is a bipartisan, bicameral effort.

Finally, I want to thank Senator INHOFE, who has visited many African countries and has witnessed the problems this legislation seeks to address, as well as his staff, who have been very helpful in this process. At a time when some people seem to get satisfaction from calling Washington broken, this is another example of how two Senators and two Representatives, of different parties, whose political views often differ, can work together in furtherance of a just cause.

Mr. INHOFE. Mr. President, it is with great pleasure that I introduce the Foreign Prison Conditions Improvement Act along with my friend from Vermont, Senator PATRICK LEAHY.

This bill seeks to identify and eliminate unhealthy and unsafe prison conditions found in developing countries like Haiti and on the African continent where millions suffer in inhumane conditions.

Overcrowded, unsanitary detention and incarceration facilities endanger lives. This extremely high risk environment is a breeding ground for disease, particularly HIV/AIDs and tuberculosis, and creates grave risks to communities in which released prisoners live. Studies estimate that HIV infection rates in prisons in developing countries can be as much as 50 times higher than in the general population, and tuberculosis infection rates in prisons there are more than 20 times higher than in the general population.

Our bill encourages these developing nations to provide humane and sanitary prison conditions so that prisoners can be released in good health, and thus stem one of the causes of the spread of HIV and tuberculosis among the general public. Our bill also focuses on eliminating excessive pre-trial detention and dysfunctional justice systems which frequently result in prisoners and other detainees spending years in unhealthy prison conditions before their cases are even adjudicated. Tragically, inadequate, misplaced or lost records often result in the incarcerated being held indefinitely because their cases have never been heard. Unbelievably, such poor recordkeeping has kept many in prison long after their sentences have been served.

Specifically, our bill calls upon the Department of State to submit to Congress an annual report that describes inhuman prison conditions in at least 30 countries receiving U.S. foreign assistance. It gives the Secretary of State and Administrator of the U.S. Agency for International Development the discretion to restructure, reprogram or reduce U.S. foreign assistance to these countries based upon whether they are making ''significant efforts'' to eliminate inhuman conditions in their prisons and other detention facilities.

The goals of this bill are noble, but it will take close monitoring and hard work by our U.S. Foreign Service personnel on the ground overseas to fulfill this work. That is why our bill directs the Secretary of State to provide training to these embassy and consulate personnel so that they can effectively investigate and assess prison conditions in foreign prisons as well as assist these foreign governments to adopt substantive prison reforms. The Secretary is also directed to designate and task a Deputy Assistant Secretary of State within the Bureau of Democracy, Human Rights and Labor with the responsibility for gathering the information for the annual report and make recommendations to the Secretary based off its conclusions.

I have visited Africa frequently, and I believe that given the chance, the majority of Africa's leaders will welcome the opportunity to interact with our embassy and consulate personnel and adopt the best practices for achieving the elimination of unhealthy and unsafe conditions in their prisons and other detention facilities.

The task at hand reminds me of the teaching of Jesus in Matthew 25:39:40 when he said, ''when did we see you sick or in prison and visit you?'' And the King will answer them, 'Truly, I say to you, as you did it to one of the least of these my brothers, you did it to me.' ''

We are all our brothers' keepers.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 559—HONORING REAR ADMIRAL JONATHAN W. BAILEY FOR HIS LIFETIME OF SELFLESS COMMITMENT AND EXEMPLARY SERVICE TO THE UNITED STATES

Mr. BEGICH (for himself and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 559

Whereas Rear Admiral Jonathan W. Bailey, the Director of the National Oceanic and Atmospheric Administration (referred to in this preamble as ''NOAA'') Commissioned Officer Corps (referred to in this preamble as the ''NOAA Corps''), retires from the NOAA Corps on September 30, 2012, after 32 distinguished years of service;

Whereas Rear Admiral Bailey was appointed Director of the NOAA Corps by Secretary of Commerce Carlos M. Gutierrez on October 1, 2007, after nomination for the position by President George W. Bush and confirmation by the United States Senate;

Whereas Rear Admiral Bailey has commanded with distinction and provided exceptional leadership to the NOAA Corps since 2007, and has upheld the NOAA Corps values of honor, respect, and commitment;

Whereas Rear Admiral Bailey has had a balanced operational career, with 7 years of sea duty and almost 9 years of flight duty piloting aircraft for NOAA;

Whereas Rear Admiral Bailey played a critical role in developing innovative strategies to improve the NOAA Corps workforce;

Whereas Rear Admiral Bailey oversaw the aerial- and ground-based mapping operations by NOAA that aided search and recovery efforts at the World Trade Center and Pentagon after the September 11, 2001, terrorist attacks;

Whereas Rear Admiral Bailey has ensured that the NOAA Corps provides NOAA with a cadre of officers trained in engineering and science who operate ships, fly aircraft, manage research projects, conduct diving operations, and serve in staff positions throughout NOAA;

Whereas Rear Admiral Bailey, during his tenure as Director of the NOAA Corps, has also served as the Director of the NOAA Office of Marine and Aviation Operations, ensuring that one of the largest civilian research fleets of ships and aircraft in the United States was modernized and prepared to support the NOAA mission of science, service, and stewardship;

Whereas Rear Admiral Bailey was nominated by President Barack Obama to serve as a Commissioner on the Mississippi River Commission; and

Whereas, as NOAA bids fair winds and following seas to Rear Admiral Bailey, it is appropriate that he be remembered for his exceptional and tireless service to the United States and commended for his enviable list of career accomplishments: Now, therefore, be it

Resolved, That the Senate recognizes and honors Rear Admiral Jonathan W. Bailey of the National Oceanic and Atmospheric Administration Commissioned Officer Corps, on behalf of a grateful United States, for his lifetime of selfless commitment and exemplary service.

SENATE RESOLUTION 560—COMMEMORATING THE 150TH ANNIVERSARY OF THE MARYLAND CAMPAIGN DURING THE CIVIL WAR

Mr. CARDIN (for himself and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 560

Whereas because of geographic position, Maryland and the citizens of Maryland played a key role in the military and political struggles of the Civil War;

Whereas during the conflict, controlling Maryland was key due to the proximity to Washington D.C., the fact that Maryland shared a border with Virginia and the States still remaining in the Union, and the position of Baltimore as a key railroad link to the West;

Whereas, on September 4, 1862, General Robert E. Lee led his Confederate Army of northern Virginia across the Potomac River near Leesburg, Virginia into Maryland, marking first invasion by General Lee of the North during the Civil War;

Whereas, on September 7, 1862, General George B. McClellan moved the Union Army of the Potomac forces out of Washington D.C. in pursuit;

Whereas, over the ensuing 2 weeks, pitched battles were fought in Harper's Ferry and Shepardstown in West Virginia and South Mountain and Antietam in Maryland, as the 2 forces confronted one another amidst the Appalachian Mountains;

Whereas on September 17, 1862, the climax of the Maryland Campaign took place on the banks of Antietam Creek, near the town of Sharpsburg, Maryland;

Whereas on September 17, 1862, fighting began before dawn when Union forces advanced on Confederate defensive positions behind Antietam Creek, launching 3 assaults along the Cornfield, East Woods, West Woods, and Sunken Road for 8 hours;

Whereas the brutal fighting to cross Burnside Bridge and into Sharpsburg lasted until the afternoon and both armies suffered heavy casualties, ending the combat after a gruesome 12 hours;

Whereas both sides engaged in slow, savage fighting at close range, resulting in the single bloodiest day of war in American history, with nearly 23,000 total casualties, representing 25 percent of the Union force, and 31 percent of the Confederate force;

Whereas the tactical result of the battle was inconclusive, as each side maintained position until the bitter end;

Whereas on September 18, 1862, as the opposing armies gathered the wounded and buried the dead, General Lee withdrew the Confederate Army back across the Potomac River into Virginia, ending the invasion;

Whereas the Battle of Antietam pitted Marylanders on opposite sides of the fighting, emblematic of national division of the Civil War pitting ''brother against brother'';

Whereas the people of the United States honor those Marylanders and others who valiantly fought in the Civil War, endured the hardships brought on by the conflict, and who made the ultimate sacrifice to form a more perfect Union; and

Whereas during the sesquicentennial of the Maryland Campaign, it is fitting that the National Park Service, the Maryland Heritage Areas Authority, and all others involved recognize the bravery and steadfast determination of the Marylanders and all people affected by the Civil War: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 150th anniversary of the Maryland Campaign of the Civil War, culminating in the Battle of Antietam; and

(2) recognizes the dedication and commitment of the National Park Service, the Maryland Heritage Areas Authority, and all others involved, for preserving the heritage and promoting the rich history of the United States.

SENATE RESOLUTION 561—RECOGNIZING NATIONAL NATIVE AMERICAN HERITAGE MONTH AND CELEBRATING THE HERITAGES AND CULTURES OF NATIVE AMERICANS AND THE CONTRIBUTIONS OF NATIVE AMERICANS TO THE UNITED STATES

Mr. AKAKA (for himself, Mr. BARRASSO, Mr. INOUYE, Mr. CRAPO, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, Ms. CANTWELL, Mr. TESTER, Mr. FRANKEN, Mr. UDALL of New Mexico, and Mr. JOHANNS) submitted the following resolution; which was referred to the Committee on Indian Affairs.

S. RES. 561

Whereas from November 1, 2012, through November 30, 2012, the United States celebrates National Native American Heritage Month;

Whereas Native Americans are descendants of the original, indigenous inhabitants of what is now the United States;

Whereas the United States Bureau of the Census estimated in 2009 that there were almost 5,000,000 individuals in the United States of Native American descent;

Whereas Native Americans maintain vibrant cultures and traditions and hold a deeply rooted sense of community;

Whereas Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations;

Whereas Native Americans speak and preserve indigenous languages, which have contributed to the English language by being used as names of individuals and locations throughout the United States;

Whereas Congress has recently reaffirmed its support of tribal self-governance and its commitment to improving the lives of all Native Americans by enhancing health care services, increasing law enforcement resources, and approving settlements of litigation involving Indian tribes and the United States;

Whereas Congress is committed to improving the housing conditions and socioeconomic status of Native Americans;

Whereas the United States is committed to strengthening the government-to-government relationship that it has maintained with the various Indian tribes;

Whereas Congress has recognized the contributions of the Iroquois Confederacy, and its influence on the Founding Fathers in the drafting of the Constitution of the United States with the concepts of freedom of speech, the separation of governmental powers, and the system of checks and balances between the branches of government;

Whereas with the enactment of the Native American Heritage Day Act of 2009 (Public Law 111–33; 123 Stat. 1922), Congress—

(1) reaffirmed the government-to-government relationship between the United States and Native American governments; and

(2) recognized the important contributions of Native Americans to the culture of the United States;

Whereas Native Americans have made distinct and important contributions to the United States and the rest of the world in many fields, including the fields of agriculture, medicine, music, language, and art, and Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars;

Whereas Native Americans have served with honor and distinction in the Armed Forces of the United States, and continue to serve in the Armed Forces in greater numbers per capita than any other group in the United States;

Whereas the United States has recognized the contribution of the Native American code talkers in World War I and World War II, who used indigenous languages as an unbreakable military code, saving countless Americans; and

Whereas the people of the United States have reason to honor the great achievements and contributions of Native Americans and their ancestors: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of November 2012 as National Native American Heritage Month;

(2) recognizes the Friday after Thanksgiving as ''Native American Heritage Day'' in accordance with the Native American Heritage Day Act of 2009 (Public Law 111–33; 123 Stat. 1922); and

(3) urges the people of the United States to observe National Native American Heritage Month and Native American Heritage Day with appropriate programs and activities.

Mr. AKAKA. Mr. President, as Chairman of the Committee on Indian Affairs, I am sponsoring a resolution, cosponsored by Senators BARRASSO, INOUYE, CRAPO, JOHNSON of South Dakota, MURKOWSKI, CANTWELL, TESTER, FRANKEN, and UDALL of New Mexico, designating November as National Native American Heritage Month and November 23rd of this year as Native American Heritage Day.

This resolution recognizes the contributions of Native Americans and their cultures to our country, recognizes Congress' commitment to improving the socioeconomic status of Native Americans, and reaffirms the unique, government-to-government relationship between Native governments

and the United States. This resolution encourages the people of the United States to observe National Native American Heritage Month and Native American Heritage Day.

I call upon all of my colleagues to stand with me in support of this resolution.

SENATE RESOLUTION 562—DESIGNATING THE WEEK BEGINNING ON SEPTEMBER 10, 2012 AND ENDING ON SEPTEMBER 14, 2012 AS ''NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK'' TO RECOGNIZE THE VALUE OF HEALTH INFORMATION TECHNOLOGY IN IMPROVING HEALTH QUALITY

Ms. STABENOW (for herself and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 562

Whereas healthcare information technology and management systems have been recognized as essential tools for improving patient care, ensuring patient safety, stopping duplicative tests and paperwork, and reducing healthcare costs;

Whereas the Center for Information Technology Leadership has estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately $77,000,000,000 in expenses relating to healthcare each year;

Whereas Congress has made a commitment to leveraging the benefits of healthcare information technology and management systems, including supporting the adoption of electronic health records that will help to reduce costs and improve quality while ensuring the privacy of patients;

Whereas the ability to exchange health information confidently and securely between different providers, systems, and insurers is critical to transforming the healthcare delivery system of the United States to improve clinical outcomes for patients, control costs, and expand access to care through the use of technology;

Whereas Congress has made real-time health information exchange a priority and an essential component of the Medicare and Medicaid Electronic Health Records Incentive Programs;

Whereas Congress has emphasized improving the quality and safety of delivery of healthcare in the United States; and

Whereas, since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the healthcare system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on September 10, 2012 and ending on September 14, 2012 as ''National Health Information Technology Week'';

(2) recognizes the value of information technology and management systems in transforming healthcare for the people of the United States; and

(3) calls on all interested parties to promote the use of information technology and management systems to transform the healthcare system of the United States.

SENATE RESOLUTION 563—DESIGNATING DECEMBER 3, 2012, AS ''NATIONAL PHENYLKETONURIA AWARENESS DAY''

Mr. ISAKSON (for himself and Mr. KERRY) submitted the following resolution; which was considered and agreed to:

S. RES. 563

Whereas phenylketonuria is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine, and which causes mental retardation and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas newborn screening for phenylketonuria was initiated in the United States in 1963 and was mandated by the Newborn Screening Saves Life Act of 2008 (42 U.S.C. 201 note);

Whereas approximately 1 of every 15,000 infants in the United States is born with phenylketonuria;

Whereas the 2012 Phenylketonuria Scientific Review Conference affirmed the recommendation of lifelong dietary treatment for phenylketonuria made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas adults with phenylketonuria who discontinue treatment are at risk for other serious medical issues such as depression, impulse control disorder, phobias, tremors, and pareses;

Whereas women with phenylketonuria must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas children born from untreated mothers with phenylketonuria may have a condition known as maternal PKU syndrome, which can cause small brains, mental retardation, birth defects of the heart, and low birth weight;

Whereas phenylketonuria is treated with medical food;

Whereas, although there is no cure for phenylketonuria, a treatment involving medical food and restricting phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas maintaining a strict medical diet for phenylketonuria can be difficult to achieve, and poor metabolic control can result in a significant decline in mental and behavioral performance;

Whereas access to health coverage for medical food varies across the United States, and the long-term costs associated with caring for untreated children and adults far exceed the cost of providing medical food treatment;

Whereas scientists and researchers are hopeful that breakthroughs in phenylketonuria research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving phenylketonuria; and

Whereas the Senate is an institution that can raise awareness of phenylketonuria among the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 3, 2012, as ''National Phenylketonuria Awareness Day'';

(2) encourages all people in the United States to become more informed about phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the National PKU Alliance, a nonprofit organization dedicated to improving the lives of individuals with phenylketonuria.

SENATE RESOLUTION 564—DESIGNATING THE MONTH OF OCTOBER 2012 AS ''NATIONAL MEDICINE ABUSE AWARENESS MONTH''

Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Mr. UDALL of New Mexico, Mr. BLUMENTHAL, Mr. PORTMAN, Mr. COONS, Mr. ROCKEFELLER, Mr. CORNYN, Mr. MANCHIN, Mr. WHITEHOUSE, Mr. DURBIN, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 564

Whereas over-the-counter and prescription medicines approved by the Food and Drug Administration have been determined to be safe and effective when used properly;

Whereas the misuse or abuse of these medicines can be extremely dangerous and produce serious side effects;

Whereas the Office of National Drug Control Policy reports that medicine abuse is the fastest-growing drug problem in the United States, and the Centers for Disease Control and Prevention has classified medicine abuse as an epidemic;

Whereas the 2011 Monitoring the Future survey, funded by the National Institutes of Health, and the 2011 National Survey on Drug Use and Health, sponsored by the Substance Abuse and Mental Health Services Administration, both illustrate that, after marijuana, over-the-counter and prescription medicines account for the most frequently abused drugs among 12th graders;

Whereas the access teenagers often have to prescription medicines in home medicine cabinets and the lack of understanding by teenagers of the potential harms of these powerful medicines make it more critical than ever to raise public awareness about the dangers of medicine abuse;

Whereas the Drug Enforcement Administration and many State and local law enforcement agencies have established drug disposal programs (commonly referred to as ''take-back programs'') to facilitate the collection and destruction of unused, unwanted, or expired medications, thereby helping to take outdated or unused medications off household shelves and out of the reach of children and teenagers;

Whereas National Medicine Abuse Awareness Month promotes the message that over-the-counter and prescription medicines are to be taken only as labeled or prescribed, and that using such medicines to get high or in large doses can cause serious or life-threatening consequences;

Whereas observance of National Medicine Abuse Awareness Month should be encouraged at the national, state, and local levels to increase awareness of the abuse of medicines;

Whereas a nationwide prevention and education campaign has been launched by the national organization that represents 5,000 anti-drug coalitions nationwide, along with the association representing makers of over-the-counter medicines, to provide local coalitions with tools, training, and outreach strategies to engage and educate parents, grandparents, teachers, law enforcement officials, retailers, doctors, and other healthcare professionals about the potential harms of cough medicine abuse; and

Whereas educating the public about the dangers of medicine abuse, encouraging parents to talk about medicine abuse with their teenagers, mobilizing parents to safeguard their home medicine cabinets, and promoting abuse prevention are critical components of what must be a multi-pronged effort

to curb over-the-counter and prescription medicine abuse: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of October 2012 as ''National Medicine Abuse Awareness Month''; and

(2) urges communities to carry out appropriate programs and activities to educate parents and youth of the potential dangers associated with medicine abuse.

SENATE RESOLUTION 565—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 20, 2012, AS THE ''NATIONAL DAY ON WRITING''

Mr. CASEY (for himself, Mr. ROBERTS, Mr. SANDERS, Mr. BROWN of Ohio, and Mr. AKAKA) submitted the following resolution; which was considered and agreed to:

S. RES. 565

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation deem writing as essential and influential in their work;

Whereas writers continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English, in conjunction with its many national and local partners, honors and celebrates the importance of writing through the National Day on Writing;

Whereas the National Day on Writing celebrates the foundational place of writing in the personal, professional, and civic lives of the people of the United States;

Whereas the National Day on Writing provides an opportunity for individuals across the United States to share and exhibit their written works through the National Gallery of Writing;

Whereas the National Day on Writing highlights the importance of writing instruction and practice at every educational level and in every subject area;

Whereas the National Day on Writing emphasizes the lifelong process of learning to write and compose for different audiences, purposes, and occasions;

Whereas the National Day on Writing honors the use of the full range of media for composing, from traditional tools like print, audio, and video, to Web 2.0 tools like blogs, wikis, and podcasts; and

Whereas the National Day on Writing encourages all people of the United States to write, as well as to enjoy and learn from the writing of others: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2012, as the ''National Day on Writing'';

(2) strongly affirms the purposes of the National Day on Writing;

(3) encourages participation in the National Galley of Writing, which serves as an exemplary living archive of the centrality of writing in the lives of the people of the United States; and

(4) encourages educational institutions, businesses, community and civic associations, and other organizations to promote awareness of the National Day on Writing and celebrate the writing of the members those organizations through individual submissions to the National Gallery of Writing.

SENATE RESOLUTION 566—DESIGNATING SEPTEMBER 29, 2012, AS ''NATIONAL ESTUARIES DAY''

Mr. WHITEHOUSE (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRY, Mr. REED, Mr. SESSIONS, Mrs. SHAHEEN, Mr. WARNER, Mr. WEBB, Mr. WYDEN, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 566

Whereas the estuary regions of the United States comprise a significant share of the national economy, with 53 percent of the population, 40 percent of the employment, and 49 percent of the economic output of the United States located in the estuary regions of the United States;

Whereas projections indicate that 75 percent of the total population of the United States will live and work in coastal counties by 2025;

Whereas coasts and estuaries contribute more than $800,000,000,000 annually in trade and commerce to the United States economy;

Whereas more than 43 percent of all adults in the United States visit a sea coast or estuary at least once a year to participate in some form of recreation, generating $8,000,000,000 to $12,000,000,000 in revenue annually;

Whereas more than 28,000,000 jobs in the United States are supported by commercial and recreational fishing, boating, tourism, and other coastal industries that rely on healthy estuaries;

Whereas estuaries provide vital habitat for countless species of fish and wildlife, including many that are listed as threatened or endangered;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and the protection of coastal communities during extreme weather events;

Whereas the United States has lost more than 110,000,000 acres, or 50 percent, of the wetland of the United States since the first European settlers arrived;

Whereas bays once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can impact estuarine water quality and estuarine habitat;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) declares that it is the national policy to preserve, protect, develop, and if possible, to restore or enhance, the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lake States and territories of the United States contain a National Estuary Program or a National Estuarine Research Reserve System;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas September 29, 2012, has been designated as ''National Estuaries Day'' to increase awareness among all people of the United States, including Federal, State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 29, 2012, as ''National Estuaries Day'';

(2) supports the goals and ideals of National Estuaries Day;

(3) acknowledges the importance of estuaries to sustaining employment and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

SENATE RESOLUTION 567—HONORING THE LIFE AND CAREER OF GEORGE HICKMAN

Ms. CANTWELL (for herself and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 567

Whereas George Hickman was renowned as a Tuskegee Airman, a treasured leader in the Seattle community, and the lucky charm of Seattle sports until his passing on August 19, 2012, at the age of 88;

Whereas George Hickman leaves behind a loving wife of 57 years, Doris, 4 children, Regina, Sherie, Vincent, and Shauneil, 3 grandchildren, and 1 great-grandchild;

Whereas George Hickman served as a Tuskegee Airman and was one of the first African-American fighter pilots trained for World War II;

Whereas George Hickman served in the United States Army Air Corps from 1943 to 1945;

Whereas the honorable service of George Hickman and the other Tuskegee Airmen directly led to the desegregation of the Armed Forces of the United States;

Whereas George Hickman received the Congressional Gold Medal in 2007 with his fellow Tuskegee Airmen;

Whereas George Hickman was a special guest along with nearly 200 other Tuskegee Airmen at the 2009 inauguration of President Barack Obama;

Whereas George Hickman worked as a B–52 engineer for Boeing from 1955 until his retirement in 1984;

Whereas George Hickman was a beloved usher at University of Washington athletic events for more than 40 years; and

Whereas George Hickman also was a fan favorite as an usher at Seattle Seahawks games for nearly a decade: Now, therefore, be it

Resolved, That the Senate—

(1) commends the long and loving life of George Hickman, his service to the United States as a Tuskegee Airman, and his role as an aviation pioneer;

(2) recognizes the service George Hickman performed for his country and his significance as a role model for African-American military pilots;

(3) recognizes the contributions of the greatest generation who fought for the freedoms of the people of the United States; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution for appropriate display to Doris Hickman, the University of Washington Athletic Department, and the Seattle Seahawks organization.

SENATE RESOLUTION 568—DESIGNATING THE WEEK BEGINNING SEPTEMBER 16, 2012, AS ''NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK''

Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. BEGICH, Mrs. MURRAY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mrs. HUTCHISON, Mr. HELLER, Mr. ENZI, Mr. CRAPO, Mr. NELSON of Florida, Mr. SCHUMER, Mr. BENNET, Ms. MURKOWSKI, Mr. BINGAMAN, Mrs. BOXER, Mr. DURBIN, Mr. RUBIO, Mr. COONS, Mr. LAUTENBERG, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 568

Whereas Hispanic-serving institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas Hispanic-serving institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas there are more than 300 Hispanic-serving institutions in operation in the United States;

Whereas Hispanic-serving institutions serve more than half (54 percent) of all Hispanic students, enrolling more than 1,300,000 students in 2010;

Whereas Hispanic-serving institutions are actively involved in stabilizing and improving the communities in which the Hispanic-serving institutions are located;

Whereas celebrating the vast contributions of Hispanic-serving institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-serving institutions are deserving of national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-serving institutions across the United States;

(2) designates the week beginning September 16, 2012, as ''National Hispanic-Serving Institutions Week''; and

(3) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-serving institutions.

SENATE RESOLUTION 569—DESIGNATING THE WEEK BEGINNING OCTOBER 21, 2012, AS ''NATIONAL CHARACTER COUNTS WEEK''

Mr. GRASSLEY (for himself, Mr. LEVIN, Mr. LIEBERMAN, Mrs. MURRAY, Mr. ALEXANDER, Mr. ENZI, Mr. COCHRAN, Mr. BLUNT, Ms. LANDRIEU, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 569

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of ''National Character Counts Week'', during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 21, 2012, as ''National Character Counts Week''; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

SENATE RESOLUTION 570—DESIGNATING NOVEMBER 8, 2012, AS ''NATIONAL PARENTS AS TEACHERS DAY''

Mr. BLUNT (for himself and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 570

Whereas all 50 States and 7 other countries provide services through the Parents as Teachers evidence-based home visiting model for nearly 260,000 children annually, which offers a multifaceted approach to building strong families and promoting a positive parent-child interaction so children are healthy, safe, and ready to learn;

Whereas Parents as Teachers provides evidence-and research-based training that assists parent educators in developing proficiencies in—

(1) family support and parenting education;

(2) child and family development;

(3) human diversity within family systems;

(4) health, safety, and nutrition; and

(5) relationships between families and communities;

Whereas the Parents as Teachers evidence-based home visiting model is an essential component to prepare children to be school ready and narrows the achievement gap between children in poverty and nonpoverty households; and

Whereas there are more than 3,000 organizations offering Parents as Teachers services across the United States and around the world, which give parents of young children the support and information necessary so all children will learn, grow, and develop to realize their full potential: Now, therefore, be it

Resolved, That the Senate—

(1) designates the November 8, 2012, as ''National Parents as Teachers Day'';

(2) recognizes the importance of parent education and the role the education plays in the development of a child; and

(3) commends Parents as Teachers for its work with families across the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2840. Mr. DEMINT submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table.

SA 2841. Mr. PAUL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2840. Mr. DEMINT submitted an amendment intended to be proposed by

him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, line 13, insert ''for civilian Federal computer networks'' after ''cybersecurity activities''.

SA 2841. Mr. PAUL submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON FOREIGN ASSISTANCE.

(a) PROHIBITION.—No amounts may be obligated or expended to provide any direct United States assistance, loan guarantee, or debt relief to a Government described under subsection (b).

(b) COVERED GOVERNMENTS.—The Governments referred to in subsection (a) are as follows:

(1) The Government of Libya.

(2) The Government of Egypt.

(3) The Government of Pakistan.

(4) The Government of a host country of a United States diplomatic facility on the list submitted to Congress pursuant to subsection (c).

(c) DETERMINATION BY SECRETARY.—The Secretary of State shall submit to Congress a list of all United States diplomatic facilities attacked, trespassed upon, breached, or attempted to be attacked, trespassed upon, or breached on or after September 1, 2012, not later than 5 days after the date of enactment of this Act and not later than 5 days after any subsequent attack, trespass, breach, or attempt.

(d) CERTIFICATION.—Beginning 90 days after the date of the enactment of this Act, the President may certify to Congress that—

(1) a Government described under subsection (b)—

(A) is cooperating or has cooperated fully with investigations into an attack, trespass, breach, or attempted attack, trespass, or breach;

(B) has arrested or facilitated the arrest of, and if requested has permitted extradition of, all identifiable persons in such country associated with organizing, planning, or participating in the attack, trespass, breach, or attempted attack, trespass, or breach;

(C) is facilitating or has facilitated any security improvements at United States diplomatic facilities, as requested by the United States Government; and

(D) is taking or has taken sufficient steps to strengthen and improve reliability of local security in order to prevent any future attack, trespass, or breach; and

(2) all identifiable persons associated with organizing, planning, or participating in the attack, trespass, breach, or attempted attack, trespass, or breach—

(A) have been identified by the Federal Bureau of Investigations, the Bureau of Diplomatic Security, or other United States law enforcement entity; and

(B) are in United States custody.

(e) REQUEST TO SUSPEND PROHIBITION ON FOREIGN ASSISTANCE.—

(1) IN GENERAL.—Except as provided under paragraph (2), upon submitting a certification under subsection (d) with respect to a Government described under subsection (b), the President may submit a request to Congress to suspend the prohibition on foreign assistance to the Government.

(2) PAKISTAN.—No request under paragraph (1) may be submitted with respect to the Government of Pakistan until—

(A) Dr. Shakil Afridi has been released alive from prison in Pakistan;

(B) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(C) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan alive.

(f) EXPEDITED CONSIDERATION OF PRESIDENTIAL REQUEST.—

(1) IN GENERAL.—For purposes of this subsection, the term ''joint resolution'' means only a joint resolution introduced in the period beginning on the date on which a request under subsection (e) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ''That Congress approves the request submitted by the President to suspend the prohibition on foreign assistance to the Government of ____ in effect since ____, and such prohibition shall have no force or effect.''(The blank spaces being appropriately filled in).

(2) REFERRAL.—A joint resolution described in paragraph (1) shall be referred to the committees in each House of Congress with jurisdiction.

(3) SUBMISSION DATE DEFINED.—For purposes of this section, the term ''submission date'' means the date on which a House of Congress receives the request submitted under subsection (e).

(4) DISCHARGE OF SENATE COMMITTEE.—In the Senate, if the committee to which is referred a joint resolution described in paragraph (1) has not reported such joint resolution (or an identical joint resolution) at the end of 20 calendar days after the submission date, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Senators, and such joint resolution shall be placed on the calendar.

(5) SENATE CONSIDERATION OF RESOLUTION.—

(A) MOTIONS.—In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under paragraph (4)) from further consideration of a joint resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(B) DEBATE.—In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(C) VOTE ON FINAL PASSAGE.—In the Senate, immediately following the conclusion of the debate on a joint resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(D) APPEALS OF DECISIONS OF THE CHAIR.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in paragraph (1) shall be decided without debate.

(6) INAPPLICABILITY OF CERTAIN PROVISIONS.—In the Senate, the procedures specified in paragraph (4) or (5) shall not apply to the consideration of a joint resolution respecting a request—

(A) after the expiration of the 60 session days beginning with the applicable submission date; or

(B) if the request submitted under subsection (e) was submitted during the period beginning on the date occurring—

(i) in the case of the Senate, 60 session days, or

(ii) in the case of the House of Representatives, 60 legislative days,

before the date the Congress adjourns a session of Congress through the date on which the same or succeeding Congress first convenes its next session, after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(7) RECEIPT OF JOINT RESOLUTION FROM OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House described in paragraph (1), that House receives from the other House a joint resolution described in paragraph (1), then the following procedures shall apply:

(A) The joint resolution of the other House shall not be referred to a committee.

(B) With respect to a joint resolution described in paragraph (1) of the House receiving the joint resolution—

(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(ii) the vote on final passage shall be on the joint resolution of the other House.

(g) REPORT ON UNSECURED WEAPONS IN LIBYA.—Not later than 90 days after the date of the enactment of this Act, the President shall submit a report to Congress examining the extent to which advanced weaponry remaining unsecured after the fall of Moammar Qaddafi was used by the individuals responsible for the September 11, 2012, attack on the United States consulate in Benghazi, Libya.

(h) RULE OF CONSTRUCTION.—Nothing in this section may be construed as an authorization for the use of military force.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in on Thursday, September 20, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Roundtable Discussion: Pension Modernization for a 21st Century Workforce.''

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224–6572.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the

session of the Senate on September 20, 2012, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a business meeting to consider the following:

S. 65, A bill to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians; S. 2024, A bill to make technical amendment to the T'uf Shur Bien Preservation Trust Area Act, and for other purposes; S. 3546, Esther Martinez Language Preservation Act Reauthorization; S. 3548, To clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; and H.R. 2467, To take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony).

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 20, 2012, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Advancing the Federal-Tribal Relationship through Self-Governance and Self-Determination.''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on September 19, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 19, 2012, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, ''Five Years of the America COMPETES Act: Progress, Challenges, and Next Steps.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 19, 2012, at 2:15 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. UDALL of Colorado. 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 on September 19, 2012, at 10:00 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 19, 2012, at 10 a.m. to conduct a hearing entitled ''Homeland Threats and Agency Responses.''

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

COMMITTEE ON THE JUDICIARY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 19, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

SPECIAL COMMITTEE ON AGING

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m. in room 562 of the Dirksen Senate Office Building to conduct a hearing entitled ''Eliminating Waste and Fraud in Medicare: An Examination of Prior Authorization Requirements for Power Mobility Devices.''

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

SUBCOMMITTEE ON CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''Hate Crimes and the Threat of Domestic Extremism.''

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs', Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, be authorized to meet during the session of the Senate on September 19, 2012, at 2:30 p.m., to conduct a hearing entitled ''Investing in an Effective Federal Workforce.''

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

PRIVILEGES OF THE FLOOR

Mr. CARDIN. Mr. President, I ask unanimous consent that Freny Dessai, Sarah Butler, Talitha James, Amanda Sellers, Bryan Watt, Daniel Lind, and Daniel West, staff of the Finance Committee, be granted the privilege of the floor for the duration of the consideration of the continuing resolution.

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

Mr. HATCH. Mr. President, I ask unanimous consent that Paul Schirduan, with the Homeland Security Committee, be granted the privilege of the floor for the remainder of the Congress.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Mike Sobaski and Peter Visser of my staff be granted the privilege of the floor for the duration of today's proceedings.

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

MEASURES SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following resolutions, en bloc, which were submitted earlier today: S. Res. 562, S. Res. 563, S. Res. 564, S. Res. 565, S. Res. 566, S. Res. 567, S. Res. 568, S. Res. 569, and S. Res. 570.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table, en bloc, with no intervening action or debate, and any statements related to the resolutions be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 562

Whereas healthcare information technology and management systems have been recognized as essential tools for improving patient care, ensuring patient safety, stopping duplicative tests and paperwork, and reducing healthcare costs;

Whereas the Center for Information Technology Leadership has estimated that the implementation of national standards for interoperability and the exchange of health

information would save the United States approximately $77,000,000,000 in expenses relating to healthcare each year;

Whereas Congress has made a commitment to leveraging the benefits of healthcare information technology and management systems, including supporting the adoption of electronic health records that will help to reduce costs and improve quality while ensuring the privacy of patients;

Whereas the ability to exchange health information confidently and securely between different providers, systems, and insurers is critical to transforming the healthcare delivery system of the United States to improve clinical outcomes for patients, control costs, and expand access to care through the use of technology;

Whereas Congress has made real-time health information exchange a priority and an essential component of the Medicare and Medicaid Electronic Health Records Incentive Programs;

Whereas Congress has emphasized improving the quality and safety of delivery of healthcare in the United States; and

Whereas, since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the healthcare system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on September 10, 2012 and ending on September 14, 2012 as ''National Health Information Technology Week'';

(2) recognizes the value of information technology and management systems in transforming healthcare for the people of the United States; and

(3) calls on all interested parties to promote the use of information technology and management systems to transform the healthcare system of the United States.

S. RES. 563

Whereas phenylketonuria is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine, and which causes mental retardation and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas newborn screening for phenylketonuria was initiated in the United States in 1963 and was mandated by the Newborn Screening Saves Life Act of 2008 (42 U.S.C. 201 note);

Whereas approximately 1 of every 15,000 infants in the United States is born with phenylketonuria;

Whereas the 2012 Phenylketonuria Scientific Review Conference affirmed the recommendation of lifelong dietary treatment for phenylketonuria made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas adults with phenylketonuria who discontinue treatment are at risk for other serious medical issues such as depression, impulse control disorder, phobias, tremors, and pareses;

Whereas women with phenylketonuria must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas children born from untreated mothers with phenylketonuria may have a condition known as maternal PKU syndrome, which can cause small brains, mental retardation, birth defects of the heart, and low birth weight;

Whereas phenylketonuria is treated with medical food;

Whereas, although there is no cure for phenylketonuria, a treatment involving medical food and restricting phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas maintaining a strict medical diet for phenylketonuria can be difficult to achieve, and poor metabolic control can result in a significant decline in mental and behavioral performance;

Whereas access to health coverage for medical food varies across the United States, and the long-term costs associated with caring for untreated children and adults far exceed the cost of providing medical food treatment;

Whereas scientists and researchers are hopeful that breakthroughs in phenylketonuria research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving phenylketonuria; and

Whereas the Senate is an institution that can raise awareness of phenylketonuria among the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 3, 2012, as ''National Phenylketonuria Awareness Day'';

(2) encourages all people in the United States to become more informed about phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the National PKU Alliance, a nonprofit organization dedicated to improving the lives of individuals with phenylketonuria.

S. RES. 564

Whereas over-the-counter and prescription medicines approved by the Food and Drug Administration have been determined to be safe and effective when used properly;

Whereas the misuse or abuse of these medicines can be extremely dangerous and produce serious side effects;

Whereas the Office of National Drug Control Policy reports that medicine abuse is the fastest-growing drug problem in the United States, and the Centers for Disease Control and Prevention has classified medicine abuse as an epidemic;

Whereas the 2011 Monitoring the Future survey, funded by the National Institutes of Health, and the 2011 National Survey on Drug Use and Health, sponsored by the Substance Abuse and Mental Health Services Administration, both illustrate that, after marijuana, over-the-counter and prescription medicines account for the most frequently abused drugs among 12th graders;

Whereas the access teenagers often have to prescription medicines in home medicine cabinets and the lack of understanding by teenagers of the potential harms of these powerful medicines make it more critical than ever to raise public awareness about the dangers of medicine abuse;

Whereas the Drug Enforcement Administration and many State and local law enforcement agencies have established drug disposal programs (commonly referred to as ''take-back programs'') to facilitate the collection and destruction of unused, unwanted, or expired medications, thereby helping to take outdated or unused medications off household shelves and out of the reach of children and teenagers;

Whereas National Medicine Abuse Awareness Month promotes the message that over-the-counter and prescription medicines are to be taken only as labeled or prescribed, and that using such medicines to get high or in large doses can cause serious or life-threatening consequences;

Whereas observance of National Medicine Abuse Awareness Month should be encouraged at the national, state, and local levels to increase awareness of the abuse of medicines;

Whereas a nationwide prevention and education campaign has been launched by the national organization that represents 5,000 anti-drug coalitions nationwide, along with the association representing makers of over-the-counter medicines, to provide local coalitions with tools, training, and outreach strategies to engage and educate parents, grandparents, teachers, law enforcement officials, retailers, doctors, and other healthcare professionals about the potential harms of cough medicine abuse; and

Whereas educating the public about the dangers of medicine abuse, encouraging parents to talk about medicine abuse with their teenagers, mobilizing parents to safeguard their home medicine cabinets, and promoting abuse prevention are critical components of what must be a multi-pronged effort to curb over-the-counter and prescription medicine abuse: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of October 2012 as ''National Medicine Abuse Awareness Month''; and

(2) urges communities to carry out appropriate programs and activities to educate parents and youth of the potential dangers associated with medicine abuse.

S. RES. 565

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation deem writing as essential and influential in their work;

Whereas writers continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English, in conjunction with its many national and local partners, honors and celebrates the importance of writing through the National Day on Writing;

Whereas the National Day on Writing celebrates the foundational place of writing in the personal, professional, and civic lives of the people of the United States;

Whereas the National Day on Writing provides an opportunity for individuals across the United States to share and exhibit their written works through the National Gallery of Writing;

Whereas the National Day on Writing highlights the importance of writing instruction and practice at every educational level and in every subject area;

Whereas the National Day on Writing emphasizes the lifelong process of learning to write and compose for different audiences, purposes, and occasions;

Whereas the National Day on Writing honors the use of the full range of media for composing, from traditional tools like print, audio, and video, to Web 2.0 tools like blogs, wikis, and podcasts; and

Whereas the National Day on Writing encourages all people of the United States to write, as well as to enjoy and learn from the writing of others: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2012, as the ''National Day on Writing'';

(2) strongly affirms the purposes of the National Day on Writing;

(3) encourages participation in the National Galley of Writing, which serves as an exemplary living archive of the centrality of writing in the lives of the people of the United States; and

(4) encourages educational institutions, businesses, community and civic associations, and other organizations to promote awareness of the National Day on Writing and celebrate the writing of the members those organizations through individual submissions to the National Gallery of Writing.

S. RES. 566

Whereas the estuary regions of the United States comprise a significant share of the national economy, with 53 percent of the population, 40 percent of the employment, and 49 percent of the economic output of the United States located in the estuary regions of the United States;

Whereas projections indicate that 75 percent of the total population of the United States will live and work in coastal counties by 2025;

Whereas coasts and estuaries contribute more than $800,000,000,000 annually in trade and commerce to the United States economy;

Whereas more than 43 percent of all adults in the United States visit a sea coast or estuary at least once a year to participate in some form of recreation, generating $8,000,000,000 to $12,000,000,000 in revenue annually;

Whereas more than 28,000,000 jobs in the United States are supported by commercial and recreational fishing, boating, tourism, and other coastal industries that rely on healthy estuaries;

Whereas estuaries provide vital habitat for countless species of fish and wildlife, including many that are listed as threatened or endangered;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and the protection of coastal communities during extreme weather events;

Whereas the United States has lost more than 110,000,000 acres, or 50 percent, of the wetland of the United States since the first European settlers arrived;

Whereas bays once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can impact estuarine water quality and estuarine habitat;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) declares that it is the national policy to preserve, protect, develop, and if possible, to restore or enhance, the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lake States and territories of the United States contain a National Estuary Program or a National Estuarine Research Reserve System;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas September 29, 2012, has been designated as ''National Estuaries Day'' to increase awareness among all people of the United States, including Federal, State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 29, 2012, as ''National Estuaries Day'';

(2) supports the goals and ideals of National Estuaries Day;

(3) acknowledges the importance of estuaries to sustaining employment and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

S. RES. 567

Whereas George Hickman was renowned as a Tuskegee Airman, a treasured leader in the Seattle community, and the lucky charm of Seattle sports until his passing on August 19, 2012, at the age of 88;

Whereas George Hickman leaves behind a loving wife of 57 years, Doris, 4 children, Regina, Sherie, Vincent, and Shauneil, 3 grandchildren, and 1 great-grandchild;

Whereas George Hickman served as a Tuskegee Airman and was one of the first African-American fighter pilots trained for World War II;

Whereas George Hickman served in the United States Army Air Corps from 1943 to 1945;

Whereas the honorable service of George Hickman and the other Tuskegee Airmen directly led to the desegregation of the Armed Forces of the United States;

Whereas George Hickman received the Congressional Gold Medal in 2007 with his fellow Tuskegee Airmen;

Whereas George Hickman was a special guest along with nearly 200 other Tuskegee Airmen at the 2009 inauguration of President Barack Obama;

Whereas George Hickman worked as a B-52 engineer for Boeing from 1955 until his retirement in 1984;

Whereas George Hickman was a beloved usher at University of Washington athletic events for more than 40 years; and

Whereas George Hickman also was a fan favorite as an usher at Seattle Seahawks games for nearly a decade: Now, therefore, be it

Resolved, That the Senate—

(1) commends the long and loving life of George Hickman, his service to the United States as a Tuskegee Airman, and his role as an aviation pioneer;

(2) recognizes the service George Hickman performed for his country and his significance as a role model for African-American military pilots;

(3) recognizes the contributions of the greatest generation who fought for the freedoms of the people of the United States; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution for appropriate display to Doris Hickman, the University of Washington Athletic Department, and the Seattle Seahawks organization.

S. RES. 568

Whereas Hispanic-serving institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas Hispanic-serving institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas there are more than 300 Hispanic-serving institutions in operation in the United States;

Whereas Hispanic-serving institutions serve more than half (54 percent) of all Hispanic students, enrolling more than 1,300,000 students in 2010;

Whereas Hispanic-serving institutions are actively involved in stabilizing and improving the communities in which the Hispanic-serving institutions are located;

Whereas celebrating the vast contributions of Hispanic-serving institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-serving institutions are deserving of national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-serving institutions across the United States;

(2) designates the week beginning September 16, 2012, as ''National Hispanic-Serving Institutions Week''; and

(3) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-serving institutions.

S. RES. 569

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to

play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of ''National Character Counts Week'', during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 21, 2012, as ''National Character Counts Week''; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

S. RES. 570

Whereas all 50 States and 7 other countries provide services through the Parents as Teachers evidence-based home visiting model for nearly 260,000 children annually, which offers a multifaceted approach to building strong families and promoting a positive parent-child interaction so children are healthy, safe, and ready to learn;

Whereas Parents as Teachers provides evidence- and research-based training that assists parent educators in developing proficiencies in—

(1) family support and parenting education;

(2) child and family development;

(3) human diversity within family systems;

(4) health, safety, and nutrition; and

(5) relationships between families and communities;

Whereas the Parents as Teachers evidence-based home visiting model is an essential component to prepare children to be school ready and narrows the achievement gap between children in poverty and nonpoverty households; and

Whereas there are more than 3,000 organizations offering Parents as Teachers services across the United States and around the world, which give parents of young children the support and information necessary so all children will learn, grow, and develop to realize their full potential: Now, therefore, be it

Resolved, That the Senate—

(1) designates the November 8, 2012, as ''National Parents as Teachers Day'';

(2) recognizes the importance of parent education and the role the education plays in the development of a child; and

(3) commends Parents as Teachers for its work with families across the United States.

HONORING THE CONTRIBUTIONS OF LODI GYALTSEN GYARI

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 557 and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 557) honoring the contributions of Lodi Gyaltsen Gyari as Special Envoy of His Holiness the Dalai Lama and in promoting the legitimate rights and aspirations of the Tibetan people.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 557) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 557

Whereas Lodi Gyaltsen Gyari, who was born in Nyarong, Kham in 1949, was recognized according to Tibetan Buddhist tradition as a reincarnate lama and began his monastic studies at 4 years of age in Lhumorhab Monastery, which was located in what is now Kardze Prefecture, Sichuan Province;

Whereas, in 1958, 9-year-old Lodi Gyari fled Nyarong with his family to avoid pursuit by the Chinese People's Liberation Army and was said to have led his group to safety in India through prayer and divinations;

Whereas Lodi Gyari, as a young man in India, began a career-long commitment to the Tibetan struggle against Chinese oppression in Tibet, becoming editor for the Tibetan Freedom Press, founder of the Tibetan Review, the first English language journal published by Tibetans in exile, and a founding member of the Tibetan Youth Congress;

Whereas Lodi Gyari served as a civil servant in the Central Tibetan Administration of His Holiness the Dalai Lama, as Chairman of the Tibetan Parliament in exile, and as a Deputy Cabinet Minister for the Departments of Religious Affairs and Health and Cabinet Minister for the Department of Information and International Relations;

Whereas, in 1991, Lodi Gyari moved to the United States in the capacity of Special Envoy of His Holiness the Dalai Lama and was soon after selected to be President of the International Campaign for Tibet;

Whereas, for 3 decades, Lodi Gyari has met with leaders and diplomats of governments around the world and with Members of the United States Congress and parliaments of other nations—

(1) to explain the Tibetan position with regard to engagement with China;

(2) to urge supportive strategies and policies from governments;

(3) to explain the Dalai Lama's ''Middle Way'' philosophy of seeking genuine autonomy for Tibet within the People's Republic of China that contributes to harmony between the Tibetan and Chinese peoples; and

(4) to promote Tibetan statecraft as the Dalai Lama's senior ambassador-at-large;

Whereas, during his time as Special Envoy based in Washington, DC, Congress approved many policy and programmatic measures on Tibet, which served to institutionalize the Tibet issue within the Government of the United States, most notably the establishment of a Special Coordinator on Tibetan Issues within the Department of State and support for Tibetan refugees;

Whereas, in 1999, Lodi Gyari became a United States citizen;

Whereas in May 1998, His Holiness the Dalai Lama authorized Special Envoy Lodi Gyari to be the principal person to reestablish contact with the Chinese government on the Tibetan issue;

Whereas, between September 2002 and January 2010, Lodi Gyari led the Dalai Lama's negotiating team in 9 formal rounds of meetings with Chinese officials with tireless drive and immense skill, winning the respect of the international community;

Whereas Lodi Gyari presented the Chinese government with the Memorandum on Genuine Autonomy for the Tibetan People and its accompanying Note, thus detailing the Tibetan side's vision for a political solution for Tibet consistent within the framework of the Chinese constitutional and laws on autonomy;

Whereas Lodi Gyari, in service to the Dalai Lama, came to represent in national capitals around the world, the great hope and conviction that the rights of Tibetans could be protected and their repression could be ended.

Whereas, in the personally and professionally difficult task of representing Tibetan interests in dialogue with the People's Republic of China, Lodi Gyari demonstrated spirit, intelligence, and extraordinary tact, and brought civility, reason and a measure of mutual understanding to the Tibetan-Chinese relationship;

Whereas Lodi Gyari has credited the far-sighted wisdom of His Holiness the Dalai Lama in empowering the Tibetan people by his devolution of his political authority to an elected Tibetan leadership; and

Whereas, Lodi Gyari resigned his position, effective June 1, 2012, in the context of the deteriorating situation inside Tibet, including increasing incidents of Tibetan self-immolations, and expressing deep frustration over the lack of positive response from the Chinese side in their nearly 10-year dialogue, and in respect for the process of the devolution of political power to the elected Tibetan leaders.

Now, therefore, be it

Resolved, That the Senate—

(1) honors the service of Lodi Gyaltsen Gyari as Special Envoy of His Holiness the Dalai Lama;

(2) commends the achievements of Lodi Gyaltsen Gyari in building an international coalition of support for Tibet that recognizes—

(A) the imperative to preserve the distinct culture and religious traditions of Tibet; and

(B) that the Tibetan people are entitled under international law to their own identity and dignity and genuine autonomy within the People's Republic of China that fully preserves the rights and dignity of the Tibetan people;

(3) acknowledges the role of Lodi Gyaltsen Gyari, as a naturalized United States citizen, to promoting understanding in the United States of the Tibetan people, their culture

and religion, and their struggle for genuine autonomy, human rights, dignity, and the preservation of unique linguistic, cultural, and religious traditions; and

(4) strongly supports a political solution for Tibet within the People's Republic of China that satisfies the legitimate grievances and aspirations of the Tibetan people.

MEASURE READ THE FIRST TIME—S. 3576

Mr. REID. Mr. President, I understand S. 3576, introduced earlier today by Senator PAUL, is at the desk. I believe it is due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3576) to provide limitations on United States assistance, and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, SEPTEMBER 20, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, September 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and the first 2 hours 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; that at 2:00 p.m., all postcloture time on the motion to proceed to H.J. Res. 117, the continuing resolution, be considered expired and the Senate proceed to vote on the motion to proceed to H.J. Res. 117; and that following that vote the majority leader be recognized.

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

PROGRAM

Mr. REID. Mr. President, we will begin consideration of the continuing resolution tomorrow. We hope to reach an agreement to move up several votes and avoid being in session this weekend in order to get our work completed.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:25 p.m., adjourned until Thursday, September 20, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES INSTITUTE OF PEACE

JOSEPH ELDRIDGE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE ANNE CAHN, TERM EXPIRED.

GEORGE E. MOOSE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

SYLVIA M. BECKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2013, VICE RALPH E. MARTINEZ, TERM EXPIRED.

DEPARTMENT OF LABOR

KEITH KELLY, OF MONTANA, TO BE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING, VICE RAYMOND M. JEFFERSON.

DEPARTMENT OF THE TREASURY

BIBIANA BOERIO, OF PENNSYLVANIA, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS, VICE EDMUND C. MOY, RESIGNED.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

BETH J. ROSENBERG, OF MASSACHUSETTS, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE WILLIAM B. WARK, TERM EXPIRED.

DEPARTMENT OF STATE

ROBERT F. GODEC, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA.

UNITED NATIONS

CHERYL SABAN, OF CALIFORNIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

THE JUDICIARY

CAITLIN JOAN HALLIGAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE JOHN G. ROBERTS, JR., ELEVATED.

JENNIFER A. DORSEY, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE LARRY R. HICKS, RETIRING.

ANDREW PATRICK GORDON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE KENT J. DAWSON, RETIRED.

MICHAEL J. MCSHANE, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE MICHAEL R. HOGAN, RETIRED.

DEPARTMENT OF JUSTICE

DEREK ANTHONY WEST, OF CALIFORNIA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE THOMAS JOHN PERRELLI, RESIGNED.

IN THE COAST GUARD

PURSUANT TO TITLE 14, U.S. CODE SECTION 211(A)(2), I NOMINATE THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED.

To be lieutenant commander

KENNETH T. BOYT

DEPARTMENT OF DEFENSE

FREDERICK VOLLRATH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION).