United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, WEDNESDAY, SEPTEMBER 19, 2012 No. 127

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 19, 2012.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

END THE WAR IN AFGHANISTAN

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

Mr. MCGOVERN. Mr. Speaker, for several years now I have come to the floor of the House and called for an end to the war in Afghanistan, the longest war in the history of the United States. I have been joined by others—some Democrats, some Republicans, some liberals, some conservatives—who have consistently raised their voices in opposition to the war.

Today, once again, I stand here in the aftermath of more senseless killings of Americans, not only by Taliban forces, but by forces associated with the Afghan Government—a government we support and are told to trust.

It is hard to believe that in the midst of a Presidential campaign so little is being said about the war. During the Republican National Convention, nominee Mitt Romney never once mentioned the war or the troops in his acceptance speech—not even a sentence, not a phrase, nothing. As one who has been to Afghanistan twice, met with our troops, talked to returning veterans and been to visit them in the hospital, I find that silence shocking and offensive.

I also find offensive the fact that this House of Representatives has refused to even debate this issue. When the Department of Defense authorization bill came to the floor earlier this year, the Republican leadership of this House refused to allow a bipartisan amendment that I and WALTER JONES of North Carolina offered. That amendment called for an accelerated withdrawal of American forces from Afghanistan. The chairman of the Rules Committee at the time said there were a lot of other important issues to be debated on the defense bill. My question is: What in the world is more important than this war?

The Afghan Government is one of the most corrupt in the world. Our troops have already accomplished their mission, not only ridding Afghanistan of al Qaeda, but killing Osama bin Laden. By the way, they got him in Pakistan, not Afghanistan. So why are we still there?

There is a culture in Washington that engulfs both Republicans and Democrats; it is a culture that makes it easy to go to war but impossible to get out.

There is no question that ending the war in Afghanistan will be messy; there is no nice, neat way to do it. There will be no signing of a peace treaty, no grand parade.

The President tells us that we will turn over control of security operations to the Afghans by 2014, but it is unclear how many U.S. forces will remain or what their role will be.

And Mitt Romney says nothing.

Mr. Speaker, there ought to be a major portion of this Presidential campaign dedicated to the issue of Afghanistan. Vague deadlines or generalities no longer suffice. Too many brave American service men and women have paid with their lives. And while candidates talk about the debt our government carries, no one points out that we borrow the billions to pay for this war. We don't even pay for it; it goes on the credit card. And we've been doing this for over a decade in this Congress. We can't spend one additional penny to feed hungry children or create a single job or build a single bridge without finding an offset; yet when it comes to war, there are no offsets, no new revenue, just another blank check. Something is terribly wrong with this picture.

Finally, I would remind my colleagues here in the House that we are all responsible for this war, and we are complicit in the silence, lack of debate, and lack of oversight. That is wrong. We owe our service men and women so much better. We owe this country better.

End the war and bring our troops home now.

CONGRATULATING NATIONAL HISPANA LEADERSHIP INSTITUTE ON THE CELEBRATION OF 25TH ANNIVERSARY

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

Ms. ROYBAL-ALLARD. Mr. Speaker, as we celebrate Hispanic Heritage

Month, I rise to pay tribute to the National Hispana Leadership Institute. Later this year, NHLI alumnae will gather in Washington, D.C., to celebrate the 25th anniversary of the founding of this nationally recognized leadership development institute.

A national Latina organization based in Washington, D.C., NHLI was founded in 1987 in response to the U.S. Department of Labor's Glass Ceiling Initiative. This seminal study found that while minorities and women were making substantial gains in entering the workforce, they were not equally represented at mid and senior level management positions in government or corporate sectors. The study also found that Latinas were significantly underrepresented on corporate boards and in nonprofit and political arenas.

Over the past 25 years, NHLI has become a vital resource for Latinas and a key player in cultivating Latina leaders serving America today. In partnership with Harvard University and the Center for Creative Leadership, NHLI graduates have become a formidable cadre of well-educated, highly skilled, and committed Latina leaders. They are a veritable ''who's who'' in many communities and disciplines, and the impact of their collective leadership is felt throughout the country.

Through various mentoring initiatives and community service projects, NHLI alumnae have directly impacted thousands of Latinas in every State and in Puerto Rico. Its network and leadership projects have helped create new nonprofit organizations and influenced various others, including: The National Latino Children's Institute, Voto Latino, Powerful Latinas, Las Comadres, Positive Directions, Latina Giving Circle, and Poder PAC, to name a few.

Finally, I would be remiss if I did not mention the founders of this great organization. This prestigious group includes Maria Elena Torano, the Honorable Maria Antonietta Berriozabal, the Honorable Ramona Martinez, Gloria Rodrigues, the Honorable Raul Yzaguirre, and former Governor Bill Richardson. Through their vision and leadership, NHLI's programs have become the model for Latina empowerment in this country.

Again, my sincere congratulations to the National Hispana Leadership Institute on the celebration of their 25th anniversary.

VOTER SUPPRESSION

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

Mr. REYES. Mr. Speaker, I rise this morning to try to lend a little bit of perspective on a strategy that we have seen evolving across our country, and that strategy I think threatens to undermine one of the most basic rights and principles that we have as United States citizens, and that is the right to vote.

Unfortunately, in many States—my State included, in Texas—there's a strategy to pass what is called a voter identification law, seeking to solve a problem that apparently across the country does not exist, and that is people voting that don't have that right, and trying to give the impression that this problem is prevalent throughout our country.

As we look back at our history, I think we should all be proud of the significant strides in increasing and strengthening the electoral process for all. Let's not forget that originally, under our Constitution, only white males over the age of 21 were eligible to vote. It took several amendments to our Constitution to fully extend this right to all minorities—women and young people ages 18 and older.

□ 1210

But it took us even longer, it appears, given the current situation, to live up to these ideals.

As a child growing up in El Paso on a farm, I can remember my father talking to us about that sacred right to participate and to vote.

Here is a poll tax that was charged for that right back in 1955, made out to my dad. Back then it was $1.75. Today, under the current strategy, that, the equivalent of this poll tax, could be as much as $20, $25, or $30 for an identification card.

So who does that hurt? Who does that impact the most? It's the elderly, it's the young people, and it's minorities.

And while some people may think, well, $1.75, that wasn't much to pay for the right to vote or, today, $20, $25, $30 isn't that much to exercise the privilege of voting, the fundamental issue here is that that is an inherent right guaranteed by our Constitution.

But even if we wanted to look at it from an economic standpoint, in 2012 dollars, here is what that $1.75 poll tax bought back in 1955. A gallon of milk was 88 cents; bread, 15 cents; chicken, 44 cents a pound; cheese, 45 cents, and so on so that for a man and his spouse, paying two poll taxes, it would be $3.50. This is what they would have spent that money on, and often did, rather than paying a poll tax of $1.75.

Today, the milk is $1.99; bread is $1.99; chicken, 99 cents a pound; cheese, $2.50, to the point to where, for paying one poll tax or one identification card, you could get these comparative amounts of groceries.

So the fundamental question we must ask ourselves when people talk about taking our country back, when people talk about the right to vote, these are the kinds of issues that impact us. These are the kinds of things that throughout our history many of us have fought to protect the rights of all citizens to participate in the electoral process, fundamentally guaranteed under our Constitution.

While I understand the intent of these laws, it is designed to supposedly prevent voter fraud and impersonation, the result affects individual participation in the inherent right to vote: requiring an ID, and considering the difficulties that citizens face in the process of acquiring those State-issued identification cards, which ultimately undermines the right to vote.

This is a serious issue. All of us who teach our children and our grandchildren that the most fundamental right to participate is protected by our Constitution have to remind them. I know I have talked to my children and have shown them this poll tax to remind them that freedom is not free, that people must understand their obligations as citizens.

THE DO-NOTHING CONGRESS

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

Mr. COURTNEY. Mr. Speaker, one of the great football coaches in American history was Vince Lombardi, from Green Bay, Wisconsin, who, again, was very famous for his inspiring speeches to his players and to his staff. And one of his most famous quotes was:

> Winners never quit and quitters never win.

I wish, Mr. Speaker, that the Republican leadership in the House would go back and read Mr. Lombardi's words when they made the decision this past Friday to basically quit on the American people and say that we are going to recess this week after conclusion of business on Friday for the next 7 weeks.

This is at a time when not only the eyes of the country are on this Chamber to get much needed critical decisions made; but, frankly, the eyes of the world are watching this Congress to see whether or not, again, financial markets will have any horizon in terms of tax policy, in terms of budget policy, and in terms of a whole host of basic fundamental issues like the farm bill, like the post office functioning that, when on Friday, this place clears out after Mr. BOEHNER's decision to recess, are going to be left hanging for the next 7 weeks.

Again, this is not a problem for the House in terms of inaction by the Senate. The Senate passed a farm bill. They passed a bipartisan farm bill last June; and today we stand here with farmers who are getting up in the morning and going out and milking cows or picking crops, and they have programs which literally are expiring every minute. The Dairy Price Support programs expired on August 30, so dairy farmers up in eastern Connecticut, where I come from, whose feed costs are out of sight and whose fuel costs are out of sight, again, have absolutely no structure and no basic understanding of how they are going to continue to survive, because this place won't move forward on a farm bill with the dairy support structure, the Dairy

Security Act, which was built in by the Senate with the bill that they passed.

Again, the Senate has acted; the Senate passed a bill. They have a bill which extends crop insurance for 5 years. So for all those farmers out in the Midwest who have seen their corn crops literally burn up in a historic drought, the fact of the matter is they have absolutely no idea about what the future holds because this Chamber will not take up a farm bill and do its constitutional duty and get its work done.

Again, the post office, which fell into not just technical but actual real bankruptcy a month ago because of the structure of its pension costs, the Senate has passed a postal reform bill which adjusts the finances of that system, again, with bipartisan support and will allow the postal service to have some confidence that its operations and its post offices around the country can have some modicum of a future. This Chamber will not take up a postal reform bill between now and this Friday or for the following 7 weeks.

These are just two basic, sort of fundamental, programs which, in the past, Congress has done on a bipartisan basis without any of the drama and stress that the Speaker's decision to quit, to use Coach Lombardi's phraseology, is now creating. There are much larger issues, of course, which everyone is waiting for this Congress to act on.

Sequestration: I have shipyard workers in Groton, Connecticut, who get up every morning to build nuclear submarines. They don't know whether or not on January 1, whether the chain saw set up in the sequestration mechanism is going to go through the defense budget.

We have a fiscal cliff whereby middle class families don't know what their tax rates are going to be after January. We have physician fees under the Medicare program which, again, fall off a cliff on January 1.

With all of these issues hanging out there, we still, though, have a Republican leadership in the House which has made the decision to go home on Friday for the next 7 weeks.

Again, Coach Lombardi had it right: winners never quit and quitters never win. This leadership is quitting, not only on the Members that are prepared to roll up their sleeves and compromise and do hard work to get measures like the farm bill and the postal bill and budget policy settled once and for all. They are quitting on the American people. That is unacceptable leadership for the trust, the public trust with which they have been given.

This morning's New York Times has a story: ''Congress Nearing the End of a Session Where Partisan Input Impeded Output,'' and they show the numbers that this is the least productive Congress in a century.

Back when Harry Truman was President, he campaigned against the do-nothing Congress. That Congress enacted 906 bills in the 2 years during which it was convened. As of this week, this Congress has enacted 173, a quarter of the do-nothing Congress which Harry Truman made infamous and famous in American history.

We can do better as a Nation. We can get a farm bill passed. We can pass a postal reform bill which will keep that system alive. We can do budget policy. We can create a horizon for this country, which the American people sent us here to do, not go home and campaign.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

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

We pray this day, O Lord, for peace in our world, that freedom will flourish and righteousness will be done.

The attention of our Nation is drawn toward an impending election, but there is work yet to be done.

Send Your spirit upon the Members of this people's House that they might judiciously balance seemingly irreconcilable interests. Help them to execute their consciences and judgments with clarity and purity of heart so that all might stand before You honestly and trust that You can bring forth righteous fruits from their labors.

Bless this day and every day, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KUCINICH led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side.

BRING OUR TROOPS HOME IN 2013

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

Mr. JONES. Mr. Speaker, today I had the privilege and honor to visit Walter Reed Hospital to say thank you to our wounded from Afghanistan and Iraq, and I saw those who have lost both arms and legs. It's just so sad to go there.

That brings me today to the floor to thank the chairman of the Armed Services Appropriations Committee, C.W. ''Bill'' Young, who has come out and said it's time to bring our troops home from Afghanistan, and I quote:

> I think we should remove ourselves from Afghanistan as quickly as we can.

Mr. Speaker, that brings me to a couple of comments. I called a former commandant of the Marine Corps 3 years ago and asked him to advise me on Afghanistan, and he has, and he has been very loyal. I want to read his comments:

> I am more convinced than ever that we need to get out of Afghanistan. When our ''friends'' turn out to be our ''enemy,'' it is time to pull the plug. We are now nothing more than a recruiting poster for every malcontent in the Middle East. We need to wake up.

I would say to the Speaker, I would say to the leadership of the Republican Party, join us in bringing our troops home in the year 2013. No more should die for a lost cause like Afghanistan.

GENETICALLY MODIFIED ORGANISMS

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

Mr. KUCINICH. Mr. Speaker, in 1992, the Food and Drug Administration decided that genetically modified organisms were the functional equivalent of conventional foods.

They arrived at this decision without testing GMOs for allergenicity, toxicity, antibiotic resistance, and functional characteristics. As a result, hundreds of millions of acres of GMO crops were planted in America without the knowledge or consent of the American people, no safety testing, no long-term health studies.

The FDA has received over a million comments from citizens demanding labeling of GMOs. Ninety percent of Americans agree.

Why no labeling? I'll give you one reason. The influence and the corruption of the political process by Monsanto. Monsanto has been a prime mover in GMO technology, a multimillion dollar GMO lobby here and a major political contributor. There is a chance that Monsanto's grip will be

broken in California, where a GMO labeling initiative is on the ballot. Here in Congress my legislation, H.R. 3553, will provide for a national labeling bill.

Americans have a right to know if their food is genetically engineered. It's time for labeling. It's time for people to know how their food is being produced.

TIME FOR A DIVORCE WITH PAKISTAN

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

Mr. POE of Texas. Mr. Speaker, the United States granted Pakistan major non-NATO ally status to help us fight al Qaeda and the Taliban. This status gives special foreign aid and defense benefits such as an expedited arms sales process. But Pakistan has proved it's no friend to America.

Pakistan said ''no'' when we asked it to go after the terrorist havens. Pakistan twice tipped off terrorists making IEDs that kill Americans. Pakistan's intelligence arm, the ISI, helped the Haqqani network, a designated foreign terrorist organization, to attack our embassy. Pakistan arrested and convicted the doctor who helped us locate Osama bin Laden, the world's number one terrorist.

I believe some of the money that we have given them goes to the Taliban, but Pakistan has given us no reason to trust them. They are a disloyal ally, a Benedict Arnold friend.

I've introduced H.R. 6391 to strip Pakistan of its major non-NATO ally status. We don't need to pay Pakistan to betray us. They will do it for free.

Time for a divorce with Pakistan.

And that's just the way it is.

FOUR STRAIGHT YEARS OF TRILLION DOLLARS DEFICITS

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

Ms. FOXX. Mr. Speaker, the President has burdened the Nation with 4 straight years of trillion dollar deficits and has added more than $5 trillion to our national defense. His failed policies have done nothing but make our economy worse. Now he wants to turn our debt crisis into a defense crisis. The President's own Secretary of Defense has said the looming half-trillion dollars in defense cuts would ''hollow out the force and inflict severe damage to our national defense.''

So far the President has refused to offer any alternatives whatever. House Republicans remain committed to slashing spending and reducing the deficit but not by arbitrarily cutting funding that supports our troops and their families. That's why we passed specific, commonsense reforms to replace these dangerous cuts.

It's time for the President to help us rescue our Nation's defenders from these imminent cuts before they take effect and our national security is further compromised.

□ 1410

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WOMACK). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

ENDANGERED FISH RECOVERY PROGRAMS EXTENSION ACT OF 2012

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6060) to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6060

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Endangered Fish Recovery Programs Extension Act of 2012''.

SEC. 2. EXTENSIONS OF AUTHORITY UNDER PUBLIC LAW 106–392; REPORT.

Section 3(d)(2) of Public Law 106–392 is amended—

(1) by striking ''2011'' each place it appears and inserting ''2019'';

(2) by striking ''2008'' and inserting ''2018''; and

(3) by inserting before ''Nothing in this Act'' the following: ''Such report shall also describe the Recovery Implementation Programs actions and accomplishments to date, the status of the endangered species of fish and projected dates for downlisting and delisting under the Endangered Species Act of 1973, and the utilization of power revenues for annual base funding.''.

SEC. 3. INDIRECT COST RECOVERY RATE FOR RECOVERY PROGRAMS.

Section 3 of Public Law 106–392 is amended by adding at the end the following new subsection:

''(i) LIMITATION ON INDIRECT COST RECOVERY RATE.—The indirect cost recovery rate for any transfer of funds to the U.S. Fish and Wildlife Service from another Federal agency for the purpose of funding any activity associated with the Upper Colorado River Endangered Fish Recovery Program or the San Juan River Basin Recovery Implementation Program shall not exceed three percent of the funds transferred. In the case of a transfer of funds for the purpose of funding activities under both programs, the limitation shall be applied to the funding amount for each program and may not be allocated unequally to either program, even if the average aggregate indirect cost recovery rate would not exceed three percent.''.

SEC. 4. LIMITATION ON TRAVEL FOR ADVOCACY PURPOSES.

At the end of Public Law 106–392, add the following new section:

''SEC. 5. LIMITATION ON TRAVEL FOR ADVOCACY PURPOSES.

''No Federal funds may be used to cover any expenses incurred by an employee or detailee of the Department of the Interior to travel to any location (other than the field office to which that individual is otherwise assigned) to advocate, lobby, or attend meetings that advocate or lobby for the Recovery Implementation Programs.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This is a good bill. It's got a great sponsor. Everyone should vote for it.

I reserve the balance of my time.

Mr. GRIJALVA. I yield myself such time as I may consume.

H.R. 6060 authorizes the use of power revenues to fund two recovery programs in the Upper Colorado and San Juan Rivers. Since 2011, Reclamation has continued to fund these programs at a cost of about $3 million annually, using its existing authority.

We support the intent of H.R. 6060 to recover listed species while allowing water and power operations to continue. We share the administration's commitment to this program. We also welcome the majority's recognition that compliance with the Endangered Species Act does not mean that water and power projects in the West go dry or go dark. This program provides ESA compliance for 2,320 water projects. These projects deliver more than 3.7 million acre-feet of water per year to Wyoming, Utah, Colorado, Arizona, and New Mexico.

We are concerned, however, that the Republican rules only allow for the reauthorization of this program to 2019 versus the original goal of 2023. While we agree this legislation should move, it should be clear that, at least on our side of the aisle, our commitment to this program through 2023 has not changed.

I reserve the balance of my time.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to my colleague who shares a border with me in our districts, the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank Chairman BISHOP for yielding. Chairman BISHOP, I would also like to thank you for your leadership in leading the efforts on this important piece of legislation.

The Upper Colorado and San Juan River Basins provide key water and

power resources in the Third Congressional District of Colorado and other districts in Colorado, Wyoming, Utah, Arizona, and New Mexico. These rivers are also home to four native fish species at risk of a ''jeopardy'' finding under the Endangered Species Act. Such a finding would impose on western constituents dramatic losses in water availability and hydropower reduction, resulting in lost jobs and increased power rates at a time when we can least afford it.

The Endangered Fish Recovery Act of 2012 extending the authorization for the Upper Colorado and San Juan Fish Recovery Implementation programs will continue necessary efforts to recover four endangered fish species and provide compliance for Federal, tribal, and non-Federal water projects. These programs are supported by a broad swath of stakeholders, from local towns and counties to environmental groups and private industry, and are excellent examples of local solutions in lieu of onerous Federal management and overregulation.

I'm also pleased to see the cost reforms in this extended authorization. H.R. 6060 limits overhead to 3 percent and prohibits Federal employees from traveling to Washington, D.C., to lobby for their programs—activities well beyond the bounds of their purview. These cost savings and their measures will allow for greater allocation of resources to species recovery.

I'm optimistic that these programs can reach their goals in the coming year, recover the species in jeopardy, and safeguard the economic well-being of our communities, jobs, and everything connected with these efforts.

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

Mr. BISHOP of Utah. I think some of my staff thought I should be a little bit more expansive in my remarks. So this is a really good bill with a really good sponsor.

Actually, this is one of those things where the nice part is, for this mitigation plan that will allow these projects to go forward, taxpayers are paying no money. It's paid by the utility ratepayers of this particular area. If this is not reauthorized, it may put that part in jeopardy. And we did put some guidelines in there to protect so that the overhead that can be charged to the utility ratepayers has a potential limit on it.

It's a good bill. With that, I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 6060.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESCALERO APACHE TRIBE LEASING AUTHORIZATION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1461) to authorize the Mescalero Apache Tribe to lease adjudicated water rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1461

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mescalero Apache Tribe Leasing Authorization Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADJUDICATED WATER RIGHTS.—The term ''adjudicated water rights'' means water rights that were adjudicated to the Tribe in State v. Lewis, 116 N.M. 194, 861 P. 2d 235 (1993).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of New Mexico.

(4) TRIBE.—The term ''Tribe'' means the Mescalero Apache Tribe.

SEC. 3. AUTHORIZATION TO LEASE ADJUDICATED WATER RIGHTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, subject to subsections (b) and (c), the Tribe may lease, enter into a contract with respect to, or otherwise transfer to another party, for another purpose, or to another place of use in the State, all or any portion of the adjudicated water rights.

(b) STATE LAW.—In carrying out any action under subsection (a), the Tribe shall comply with all laws (including regulations) of the State with respect to the leasing or transfer of water rights.

(c) ALIENATION; MAXIMUM TERM.—

(1) ALIENATION.—The Tribe shall not permanently alienate any adjudicated water rights.

(2) MAXIMUM TERM.—The term of any water use lease, contract, or other agreement under this section (including a renewal of such an agreement) shall be not more than 99 years.

(d) LIABILITY.—The Secretary shall not be liable to the Tribe or any other person for any loss or other detriment resulting from a lease, contract, or other arrangement entered into pursuant to this section.

(e) PURCHASES OR GRANTS OF LAND FROM INDIANS.—The authorization provided by this Act for the leasing, contracting, and transfer of the adjudicated water rights shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(f) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the adjudicated water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the adjudicated water rights.

(g) APPLICABILITY.—This Act shall not apply to leasing, contracting, or transfer of the adjudicated water rights on the Tribe's reservation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield such time as he may consume to the author of this particular bill, who does a great job in representing his constituents—and this is one of those examples—the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. This bill is straightforward and simple. It allows the Mescalero Apache Indian Tribe to permit or lease or transfer their water rights for a term up to 99 years. The courts decided that they would have these rights back in 1993, but we need the legislation that would permit it. This effort is bipartisan. It's even pursued in both the House and the Senate—Senator BINGAMAN has a bill—so it's noncontroversial. It simply does the right thing. It's important. It allows the tribe self-determination and it also gives them economic opportunities. The leasing of the water rights will provide them with revenues that they desperately need.

It's for the best interest of all New Mexicans. During this current drought, water is of scarce supply in New Mexico, and this would allow the tribe to lease water to communities that are desperately needing water at this point. It's important to the tribes. It's important to New Mexico.

I recommend that all vote for H.R. 1461, and urge its passage.

Mr. GRIJALVA. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1461, legislation that would authorize the Mescalero Apache Tribe of New Mexico to lease its adjudicated and quantified water rights for up to 99 years, pursuant to State law.

There is a tremendous need for water in south central New Mexico among the Mescalero Apache Tribe's non-Indian neighbors. The tribe has approximately 2,300 acre-feet of water to meet this need, which it is ready to lease to the surrounding communities. Revenue generated by such leasing would be used to fund basic tribal government services such as a senior care center, infrastructure development, and academic scholarships.

Because the tribe's water rights were quantified by adjudication, legislation is necessary to authorize the tribe to lease its water. H.R. 1416 provides this simple authorization that would not only make the tribe's valuable resource available to those in need, but also give the tribe a much-needed source of additional government revenue.

During the subcommittee hearing on the bill the administration expressed concern that H.R. 1461 did not limit tribal authority for leasing water to off-reservation locations and that such a clarification was needed to prevent

possible application of State law to on-reservation water leases. Committee staff worked together to amend H.R. 1461 to clarify that the tribe's authorities are limited to off-reservation water leases. The tribe can now be assured that State law will never apply to on-reservation water leases, pursuant to H.R. 1461.

Mr. Speaker, we support H.R. 1461, and I reserve the balance of my time.

□ 1420

Mr. BISHOP of Utah. Could I inquire if my colleague has any other speakers?

Mr. GRIJALVA. No, I don't, Mr. Chairman.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, this is one of those bills where the minority and the majority have worked with the tribe to clarify. This applies to off-reservation water, their leasing authority. If the tribe still stays in place, it's intact. It's a technical amendment that has been cleared by all interested parties and moves us forward.

I urge its adoption, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 1461, as amended.

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

A motion to reconsider was laid on the table.

ALLOWING PASCUA YAQUI TRIBE TO DETERMINE REQUIREMENTS FOR MEMBERSHIP

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3319) to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3319

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

SECTION 1. REQUIREMENTS FOR MEMBERSHIP DETERMINED BY TRIBE.

Section 3 of Public Law 95–375 (25 U.S.C. 1300f–2) is amended to read as follows:

''SEC. 3. For the purposes of section 1 of this Act, membership of the Pascua Yaqui Tribe shall consist of any United States citizen of Pascua Yaqui blood enrolled by the tribe.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, since I doubt very seriously if I can get through any kind of statement and say ''Pascua Yaqui'' Tribe accurately, it would be my intent, if I could, to yield 10 minutes to the gentleman from Arizona to explain his bill. It's a good bill, we support it, and he can say it properly.

I reserve the balance of my time.

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

I appreciate Chairman BISHOP's indulgence at this point.

Mr. Speaker, I rise in support of H.R. 3319, a bill that would authorize the Pascua Yaqui Tribe to set its own membership criteria by replacing congressionally mandated criteria that artificially limited enrollment to certain Yaqui people based on application deadlines and other requirements that do not reflect tribal input.

H.R. 3319 reflects the modern congressional policy of allowing federally recognized tribes to set their own membership criteria. The bill eliminates current membership requirements imposed by statute and replaces them with a requirement that members possess any degree of Indian blood as determined by the tribe. The Pascua Yaqui Tribe, like all federally recognized tribes, has the inherent right to determine its own membership without restrictions imposed by the Federal Government.

Mr. Speaker, I ask my colleagues to support the passage of H.R. 3319, and I yield back the remainder of my time.

Mr. BISHOP of Utah. Mr. Speaker, the House actually passed a bill similar to this on tribal membership that recognized a tribe in Texas last year, so there is precedent for this event. I would therefore have no objection to the passing of this resolution today and urge Members' support of it.

With that, I yield back all the remainder of the time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 3319, as amended.

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

A motion to reconsider was laid on the table.

HONORING THE FOUR UNITED STATES PUBLIC SERVANTS WHO DIED IN LIBYA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 786) honoring the four United States public servants who died in Libya and condemning the attacks on United States diplomatic facilities in Libya, Egypt, and Yemen.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 786

Whereas, on September 11, 2012, terrorists attacked the United States consulate in Benghazi, Libya, killing four United States citizens, including the United States Ambassador to Libya, John Christopher Stevens, Foreign Service Information Management Officer Sean Smith, and security officers Tyrone S. Woods and Glen A. Doherty, and injured other United States citizens;

Whereas, on September 11, 2012, violent protesters stormed the United States embassy in Cairo, Egypt, committing acts of vandalism and violence and endangering the welfare of United States diplomats;

Whereas, on September 13, 2012, violent protestors were repelled from an attempt to storm the United States embassy in Sana'a, Yemen;

Whereas Ambassador Stevens was a champion of the Libyan people's efforts to remove Muammar Qaddafi from power, and served as Special Envoy to the Libyan Transitional National Council in Benghazi during the 2011 Libyan revolution;

Whereas, on a daily basis, United States diplomats, military personnel, foreign service nationals and locally employed staff, and other public servants make professional and personal sacrifices to faithfully serve the United States and its people to advance the ideals of freedom, democracy, and human dignity around the globe;

Whereas many United States diplomatic facilities remain threatened by terrorist attacks or violent protests in the wake of these attacks; and

Whereas Article 22 of the Vienna Convention on Diplomatic Relations obligates host governments to ''take all appropriate steps to protect the premises of the [diplomatic] mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the selfless commitment to United States national security and to Libya's hard-won, transitional democracy by the brave United States citizens who lost their lives in the unjustified attack on the United States consulate in Benghazi, Libya;

(2) expresses its deepest condolences to the families and loved ones of those United States public servants killed in Benghazi, Libya;

(3) condemns in the strongest possible terms the terrorists who planned and conducted the attack on the United States consulate in Benghazi, Libya, and those who vandalized the United States embassies in Cairo, Egypt, and Sana'a, Yemen;

(4) expresses profound concern about the security situation in Libya, Egypt, and Yemen, and with the continuing threat posed to the region and United States interests by extremists and terrorists;

(5) appreciates the actions of those who sought to protect the United States diplomats and diplomatic facilities;

(6) reaffirms that nothing can justify terrorism or attacks on innocent civilians and diplomatic personnel;

(7) calls upon all governments to continue to work closely with the United States Department of State to ensure security of diplomatic facilities throughout their countries, to secure their borders, and to aggressively combat terrorists and extremists who operate within their sovereign territory;

(8) calls upon the Governments of Libya, Egypt, and Yemen, in full cooperation with the United States Government, to investigate and bring to justice the perpetrators of these attacks; and

(9) reiterates the United States commitment to promoting its core values, including support for democracy, universal human rights, individual and religious freedom, and respect for human dignity.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Speaker BOEHNER, Leader CANTOR, Leader PELOSI, and Mr. HOYER for spearheading this critical resolution about the recent terrorist attacks.

Our thoughts and our prayers are with the families of Ambassador Christopher Stevens, Sean Smith, Tyrone Woods, and Glenn Doherty, and all of those injured in the attack. Our condolences must also go out to the entire U.S. diplomatic corps.

On the 11th anniversary of the attacks of September 11, 2001, radical Islamists attacked the United States mission in Benghazi, and our Ambassador and three other State Department personnel were murdered. Concurrently, in Cairo, our Embassy was assaulted by a mob of extremists who breached its walls and desecrated our American flag.

Since that fateful day, Mr. Speaker, we have witnessed a dramatic escalation of anti-American protests and actions throughout the region, from assaulting the Embassy in Tunis to the attack on peacekeepers in the Sinai.

The premise that the violence and the protests are solely based on that obscure, hateful video is patently false. Rather, it is symptomatic of a broader effort by our enemies in the region to foment hatred of the U.S. Yet the hesitation on the part of this administration and the schizophrenia in response to this latest crisis is a cause for concern.

The U.S. has nothing for which to apologize, including the exercise of freedom of expression. Surrendering our principles before an unruly mob or violent extremists will only embolden the likes of al Qaeda and reinforce the notion that more attacks against the United States will change core American policies and American principles.

The perpetrators of the attacks must be held accountable by our allies in the region, and the administration must take the lead. There is no excuse whatsoever for attacking diplomatic missions and murdering diplomats. The administration must place the governments on notice that their conduct during this crisis will determine the nature of our relations moving forward.

The Libyan and Yemeni Governments have both apologized for and strongly condemned the attacks on U.S. diplomatic posts in their host countries. They have been fully cooperating with us. By contrast, the Egyptian Government took over a day to issue a weak statement discouraging violence against foreign embassies, but it was, alas, too little, too late.

This cannot happen again, and Congress will be closely monitoring the ongoing protests and reassessing our assistance packages and our approaches based on the responses of the governments to assaults on our embassies and our institutions.

The lack of a firm response will undermine our U.S. interests in the region. We must clearly articulate and implement a policy that rewards our allies, encourages moderate forces within the region, and punishes our enemies.

At this critical moment, Mr. Speaker, the United States must reaffirm support for our friends and allies and clearly differentiate them from our enemies.

□ 1430

The United States must continue to stand up for American values and stand with the voices of moderation.

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

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution honoring Ambassador Chris Stevens, Sean Smith, Glen Doherty, and Tyrone Woods, four patriotic Americans who lost their lives in a cowardly and despicable attack on the United States consulate in Benghazi, Libya.

On a daily basis, the men and women of the State Department assume great risks in dangerous locations all over the world. They conduct diplomacy, promote democracy, build civil society, educate, mediate, negotiate, and defend U.S. interests worldwide. They are the face of America abroad; and our country is safer, freer, and more prosperous because of what they do.

Ambassador Stevens was one of our best and brightest—and most courageous. He had served in Israel, Egypt, Syria, and Saudi Arabia; but Libya became the centerpiece and defining mission of his career. He was on the ground in Benghazi leading U.S. diplomatic efforts from the earliest days of the revolution. He worked tirelessly on behalf of U.S.-Libyan relations and the well-being of U.S. citizens living in Libya. I am particularly angry that this sickening attack occurred in a country that the U.S., with Chris Stevens in the lead, did so much to liberate.

Ambassador Stevens will be missed for his knowledge of the Middle East, his exemplary commitment to service, his warming and welcoming personality, and his basic human decency.

Sean Smith, a Foreign Service information officer, was a father and 10-year veteran of the U.S. State Department. Prior to arriving in Benghazi, he served in Brussels, Baghdad, Victoria, Montreal, and The Hague.

Glen Doherty was a former Navy SEAL from Boston. He was killed while serving on the Ambassador's security detail and helping to evacuate the wounded.

Tyrone Woods spent two decades as a SEAL, was a father of three, and had worked protecting diplomats in dangerous posts for the past 2 years.

Mr. Speaker, our thoughts and prayers are with the families of all the dedicated public servants whose lives were lost.

Libya owes the American people a full investigation of this incident, in complete cooperation with U.S. authorities. The killers must be found and brought to justice. I stand by ready to assist in any way I can.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I certainly join with my colleagues in mourning the passing, under tragic circumstances, of Ambassador Stevens, as well as the deaths of Sean Smith and security officers Tyrone Woods and Glen Doherty, as well as all those who were injured. I think that all of us can agree that what happened to Ambassador Stevens and the rest of the diplomatic staff should concern everyone, concern all Americans. These attacks were wrong, and it's appropriate that we honor Ambassador Stevens.

The resolution, as I read it, is not complete, though, because this discussion that we're having here on the floor is missing some elements; and I'd like to bring them forward right now.

We have to ask the question: Why was that consulate in Benghazi, Libya, so lightly defended to begin with? Did anyone know that Benghazi was still a flash point? I mean, we overthrew the government. Did anyone know that when the government fell, al Qaeda's flag was flying over Benghazi? Did anyone know about al Qaeda's presence in Libya that came after the war? That would have been a constant factor to be mindful of with respect to protecting those who serve. Why wasn't more care given to protect U.S. personnel?

The other thing is, there were warnings in diplomatic circles, specifically with respect to Libya, because of the ferment that has been going on in the broader Muslim world. These are concerns that should be discussed by the

Congress. It doesn't take away anything from the sacrifice that was given, but we have to ask some questions here.

We also have to be aware that U.S. policy in Libya is murky at best and a huge mistake at worst. We had debates on this floor about Libya, and we know that Congress was not consulted. The current issue of Vanity Fair is worth the attention of every Member of Congress because it made it abundantly clear on what is a prime constitutional responsibility of Congress. Article I, section 8, the power to declare war, was essentially usurped by the administration. This is not a small matter. Would we have been in Libya if Congress had had an upfront vote immediately?

Two days ago, we celebrated Constitution Day. Are we celebrating the Constitution every day or just one day? There are consequences for not following the Constitution; there are consequences for our citizens here at home and citizens abroad. This needs to be brought up in the context of this debate.

We cannot pretend that United States policy—which often lacks congressional involvement—with drones flying over Yemen and Somalia and Pakistan and Afghanistan and innocents killed, that there's not going to be blow-back or a backlash. It is wrong for any of our people to have their lives on the line where they lose their lives. It's awful.

I stand here today in support of this resolution only because I want to be on record as joining my colleagues on this matter of making sure that we pay tribute to those whose lives were put on the line for this country. But let me tell you, we cannot ignore the deeper questions here: Why wasn't that consulate well defended? We cannot ignore the question: Why wasn't Congress consulted on the decision to go to war against Libya? There are consequences for these things.

The whole country should mourn Ambassador Stevens' death and the deaths of all of those who proudly serve this country who were taken in this fit of outrage that swept across Libya, but we need to remember a few other things too about how we got there and why those people who put their lives on the line to serve, why their lives were put in jeopardy.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to yield 1 minute to our esteemed majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentlelady for her leadership in bringing this resolution forward.

Mr. Speaker, I rise today in support of this resolution to condemn the violence against our diplomatic missions in Libya, Egypt, Yemen, and elsewhere.

We acknowledge and honor the personal sacrifice of the brave Americans who gave their lives in service to our Nation. U.S. Ambassador Chris Stevens, Foreign Service Information Management Officer Sean Smith, and Security Officers Tyrone Woods and Glen Doherty tragically lost their lives far from home in Benghazi, Libya, where they were promoting American interests and helping the Libyan people secure the hard-fought gains of the revolution. These heroes died upholding the liberty, democracy, and moderation we value as a Nation.

In the wake of their deaths and the ongoing protests and violence, Americans want to know what our strategy is for protecting our diplomats, our interests, and our values in a region that is undergoing a profound—and unfortunately sometimes violent—political transformation.

□ 1440

Americans are rightly worried about the anti-Americanism and Islamic extremism that has reared its head. I share the concern that Americans have about the situation in the Middle East, and I believe the President should explain his strategy for navigating the uncertain waters before us.

But I know that one policy we must not pursue is to turn our back on this troubled region. Withdrawing from the region would embolden the extremists and justify Osama bin Laden's strategy, leaving the moderates who share our values and who desire democracy to combat the forces of violence alone.

We are not alone in this fight. From Morocco to Indonesia, there are brave Muslims who oppose violence, who desire good relations with the United States, who respect religious freedom, and who risk their lives by preaching tolerance and moderation. We should redouble our efforts to stand with these Muslims who seek to protect a great religion from being subverted by extremists.

We should not abandon Libya because terrorists seek to undermine a government that is making progress towards establishing a democracy and that is joining the fight against terrorism.

Egypt's democratic revolution is unfinished, and much work remains to ensure that its first election is not its last. We should work with Egypt's leaders to help them build a democracy that respects individual rights, women, and religious freedom while being clear that we will not tolerate policies that give any ground to terrorists or undermine our security or that of our ally Israel.

American assistance is not an entitlement, and Congress expects Egypt's new leaders to respect the parameters and conditions of our generous aid.

America must not abandon its partners, just as we should not apologize for our perceived sins. We must demonstrate leadership. We should lead a coalition against the radical mullahs in Iran who foment instability and support extremists throughout the region. America should combat Iran's support for terrorism and thwart its aspirations for nuclear weapons.

America should be leading an international effort to bring overwhelming pressure on the Assad regime in Syria to end, once and for all, its state sponsorship of terrorism and to bring about a new government in Syria before that society fractures beyond repair.

Mr. Speaker, America has long been a force for good and stability in the Middle East. When we have retreated in the past from playing this role, we have paid dearly. Withdrawing from Lebanon in the 1980s ceded that country to Syria and Hezbollah. Failing to respond to al Qaeda's attacks in the 1990s led Osama bin Laden to believe he could attack the American homeland.

The extremists in the region believe today, as bin Laden believed then, that we do not have the stomach to defend our friends and our interests, that we will abandon the Middle East. We must prove them wrong by responding to this challenge with purpose and strength. We must stand with our friends and hold our enemies to account.

Mr. ENGEL. I have no further speakers. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I would like to reinforce a few points. First, our thoughts and our prayers are with the families of the American diplomats murdered in Libya as we stand with them in this difficult time.

Secondly, there is no excuse whatsoever for attacking diplomatic missions and murdering diplomats.

Third, the U.S. has nothing for which to apologize. Let us not apologize for the exercise of freedom of expression. The perpetrators of these attacks must be held accountable.

Finally, the United States Congress will be reassessing our assistance packages based on the responses of the various affected governments to assaults on our embassies and our institutions. Nothing can justify the terrorist attacks carried out against our fellow Americans, our diplomatic posts, and our U.S. interests around the world.

The Americans killed were committed to helping the Libyan people, committed to help them secure a better, more stable, more peaceful future. Yet, radicals, the radicals who seek to hijack such freedom, security, and prosperity from the people of the Middle East and in North Africa, those who deny their own people basic human rights and universal freedoms, answered our dedication and our commitment of these courageous Americans by burning our mission and killing our diplomats.

So let us be clear: no apologies are needed. Nothing justifies these violent actions.

And to the people throughout the Middle East, North Africa, and throughout the world who are oppressed, the United States and our personnel overseas stand with you. We stand for freedom, despite the threats from extremist elements.

With that, Mr. Speaker I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank you and the other members of our House leadership for introducing this important, bi-partisan resolution.

Tragically, our country will now be commemorating not only the terrorist attacks of September 11, 2001, but also the attacks on the United States consulate in Benghazi, Libya, that occurred on the same date last week.

The four U.S. citizens who lost their lives, especially Ambassador John Christopher Stevens, and those who were injured in this unjustified act of violence demonstrated an extraordinary commitment to our country's national security and Libya's democracy. I would like to convey my heartfelt condolences to the families of the victims.

I also want to express my ongoing support and gratitude for all the Foreign Service men and women who are promoting American values and interests abroad. It is on occasions such as this that we are reminded of the many sacrifices that they make in service to our country. In addition to living in foreign lands away from their families and adapting to new cultures and languages, many of them daily face the possible ultimate sacrifice of their lives. The violence that occurred last week at our diplomatic missions in several countries must renew our national commitment to doing our best to ensure their safety.

Mr. Speaker, there is no justification for the recent attacks on U.S. diplomatic missions and the taking of innocent American lives in Benghazi. All governments must take appropriate measures to ensure the security of U.S. diplomatic facilities within their borders, and to end these acts of terrorism.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 786.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COUNTERING IRAN IN THE WESTERN HEMISPHERE ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3783) to provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3783

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Countering Iran in the Western Hemisphere Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States has vital political, economic, and security interests in the Western Hemisphere.

(2) Iran is pursuing cooperation with Latin American countries by signing economic and security agreements in order to create a network of diplomatic and economic relationships to lessen the blow of international sanctions and oppose Western attempts to constrict its ambitions.

(3) According to the Department of State, Hezbollah, with Iran as its state sponsor, is considered the ''most technically capable terrorist group in the world'' with ''thousands of supporters, several thousand members, and a few hundred terrorist operatives,'' and officials from the Iranian Islamic Revolutionary Guard Corps (IRGC) Qods Force have been working in concert with Hezbollah for many years.

(4) The IRGC's Qods Force has a long history of supporting Hezbollah's military, paramilitary, and terrorist activities, providing it with guidance, funding, weapons, intelligence, and logistical support, and in 2007, the Department of the Treasury placed sanctions on the IRGC and its Qods Force for their support of terrorism and proliferation activities.

(5) The IRGC's Qods Force stations operatives in foreign embassies, charities, and religious and cultural institutions to foster relationships, often building on existing socioeconomic ties with the well established Shia Diaspora, and recent years have witnessed an increased presence in Latin America.

(6) According to the Department of Defense, the IRGC and its Qods Force played a significant role in some of the deadliest terrorist attacks of the past two decades, including the 1994 attack on the AMIA Jewish Community Center in Buenos Aires, by generally directing or supporting the groups that actually executed the attacks.

(7) Reports of Iranian intelligence agents being implicated in Hezbollah-linked activities since the early 1990s suggest direct Iranian government support of Hezbollah activities in the Tri-Border Area of Argentina, Brazil, and Paraguay, and in the past decade, Iran has dramatically increased its diplomatic missions to Venezuela, Bolivia, Nicaragua, Ecuador, Argentina, and Brazil. Iran has built 17 cultural centers in Latin America, and it currently maintains 11 embassies, up from 6 in 2005.

(8) Hezbollah and other Iranian proxies with a presence in Latin America have raised revenues through illicit activities, including drug and arms trafficking, counterfeiting, money laundering, forging travel documents, pirating software and music, and providing haven and assistance to other terrorists transiting the region.

(9) Bolivia, Cuba, Ecuador, Nicaragua, and Venezuela expressed their intention to assist Iran in evading sanctions by signing a statement supporting Iran's nuclear activities and announcing at a 2010 joint press conference in Tehran their determination to ''continue and expand their economic ties to Iran'' with confidence that ''Iran can give a crushing response to the threats and sanctions imposed by the West and imperialism''.

(10) The U.S. Drug Enforcement Administration concluded in 2008 that almost one-half of the foreign terrorist organizations in the world are linked to narcotics trade and trafficking, including Hezbollah and Hamas.

(11) In October 2011, the United States charged two men, Manssor Arbabsiar, a United States citizen holding both Iranian and United States passports, and Gholam Shakuri, an Iran-based member of Iran's IRGC Qods Force, with conspiracy to murder a foreign official using explosives in an act of terrorism. Arbabsiar traveled to Mexico with the express intent to hire ''someone in the narcotics business'' to carry out the assassination of the Saudi Arabian Ambassador in the United States. While in the end, he only engaged a U.S. Drug Enforcement Agency informant posing as an associate of a drug trafficking cartel, Arbabsiar believed that he was working with a member of a Mexican drug trafficking organization and sought to send money to this individual in installments and not in a single transfer.

(12) In February 2011, actions by the Department of the Treasury effectively shut down the Lebanese Canadian Bank. Subsequent actions by the United States Government in connection with the investigation into Lebanese Canadian Bank resulted in the indictment in December 2011 of Ayman Joumaa, an individual of Lebanese nationality, with citizenship in Lebanon and Colombia, and with ties to Hezbollah, for trafficking cocaine to the Los Zetas drug trafficking organization in Mexico City for sale in the United States and for laundering the proceeds.

SEC. 3. STATEMENT OF POLICY.

It shall be the policy of the United States to use a comprehensive government-wide strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere by working together with United States allies and partners in the region to mutually deter threats to United States interests by the Government of Iran, the Iranian Islamic Revolutionary Guard Corps (IRGC), the IRGC's Qods Force, and Hezbollah.

SEC. 4. DEFINITIONS.

In this Act:

(1) WESTERN HEMISPHERE.—The term ''Western Hemisphere'' means the United States, Canada, Mexico, the Caribbean, South America, and Central America.

(2) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 5. REQUIREMENT OF A STRATEGY TO ADDRESS IRAN'S GROWING HOSTILE PRESENCE AND ACTIVITY IN THE WESTERN HEMISPHERE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall conduct an assessment of the threats posed to the United States by Iran's growing presence and activity in the Western Hemisphere and submit to the relevant congressional committees the results of the assessment and a strategy to address Iran's growing hostile presence and activity in the Western Hemisphere.

(b) MATTERS TO BE INCLUDED.—The strategy described in subsection (a) should include—

(1) a description of the presence, activities, and operations of Iran, the Iranian Islamic Revolutionary Guard Corps (IRGC), its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere, including information about their leaders, objectives, and areas of influence and information on their financial networks, trafficking activities, and safe havens;

(2) a description of the terrain, population, ports, foreign firms, airports, borders, media outlets, financial centers, foreign embassies, charities, religious and cultural centers, and income-generating activities in the Western Hemisphere utilized by Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere;

(3) a description of the relationship of Iran, the IRGC, its Qods Force, and Hezbollah with transnational criminal organizations linked to Iran and other terrorist organizations in

the Western Hemisphere, including information on financial networks and trafficking activities;

(4) a description of the relationship of Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere with the governments in the Western Hemisphere, including military-to-military relations and diplomatic, economic, and security partnerships and agreements;

(5) a description of the Federal law enforcement capabilities, military forces, State and local government institutions, and other critical elements, such as nongovernmental organizations, in the Western Hemisphere that may organize to counter the threat posed by Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere;

(6) a description of activity by Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present at the United States borders with Mexico and Canada and at other international borders within the Western Hemisphere, including operations related to drug, human, and arms trafficking, human support networks, financial support, narco-tunneling, and technological advancements that incorporates—

(A) with respect to the United States borders, in coordination with the Governments of Mexico and Canada and the Secretary of Homeland Security, a plan to address resources, technology, and infrastructure to create a secure United States border and strengthen the ability of the United States and its allies to prevent operatives from Iran, the IRGC, its Qods Force, Hezbollah, or any other terrorist organization from entering the United States; and

(B) within Latin American countries, a multiagency action plan, in coordination with United States allies and partners in the region, that includes the development of strong rule-of-law institutions to provide security in such countries and a counterterrorism and counter-radicalization plan to isolate Iran, the IRGC, its Qods Force, Hezbollah, and other terrorist organizations linked to Iran that may be present in the Western Hemisphere from their sources of financial support and counter their facilitation of terrorist activity; and

(7) a plan—

(A) to address any efforts by foreign persons, entities, and governments in the region to assist Iran in evading United States and international sanctions;

(B) to protect United States interests and assets in the Western Hemisphere, including embassies, consulates, businesses, energy pipelines, and cultural organizations, including threats to United States allies;

(C) to support United States efforts to designate persons and entities in the Western Hemisphere for proliferation activities and terrorist activities relating to Iran, including affiliates of the IRGC, its Qods Force, and Hezbollah, under applicable law including the International Emergency Economic Powers Act; and

(D) to address the vital national security interests of the United States in ensuring energy supplies from the Western Hemisphere that are free from the influence of any foreign government that would attempt to manipulate or disrupt global energy markets.

(c) DEVELOPMENT.—In developing the strategy under this section, the Secretary of State shall consult with the heads of all appropriate United States departments and agencies, including the Secretary of Defense, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative.

(d) FORM.—The strategy under this section shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 6. SENSE OF CONGRESS.

It is the sense of Congress that the Secretary of State should keep the relevant congressional committees continually informed on the hostile actions of Iran in the Western Hemisphere.

SEC. 7. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to limit the rights or protections enjoyed by United States citizens under the United States Constitution or other Federal law, or to create additional authorities for the Federal Government that are contrary to the United States Constitution and United States law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support today of H.R. 3783, the Countering Iran in the Western Hemisphere Act of 2012, a bill introduced by my good friend, Mr. DUNCAN, an esteemed member of our Foreign Affairs Committee. I would like to thank him for his hard work on the issues addressed in this important bill.

In February, the Committee on Foreign Affairs held a hearing entitled ''Ahmadinejad's Tour of Tyrants and Iran's Agenda in the Western Hemisphere'' in order to examine the threat to U.S. national security posed by Iran and Iranian-sponsored activities in the Western Hemisphere. One month later, this bipartisan measure was unanimously adopted by our Committee on Foreign Affairs.

Mr. Speaker, as we have witnessed in the last few weeks, the violence perpetrated by extremists in the Middle East against our embassies and our consulates undermines our foreign policy objectives, and we must prevent these vicious attacks from occurring in our region.

Let us not forget that 18 years ago, Iranian so-called diplomats readily partnered with Hezbollah, a U.S.-designated foreign terrorist organization, to carry out a deadly attack against the AMIA Jewish Community Center in Buenos Aires, Argentina. Iran has only increased its subversive action since then, and over the past decade the regime has increased diplomatic and economic ties between Iran and the radical regimes in Latin America.

Iran's Ahmadinejad made two trips to Latin America this year to visit his fellow tyrants: the Castro brothers in Cuba, Ortega in Nicaragua, Correa in Ecuador, Chavez in Venezuela, and Morales in Bolivia.

In an attempt to promote its extremist propaganda, the Iranian regime recently launched a Spanish television network to reach a larger international audience centered in the Western Hemisphere. More embassies and cultural centers have opened in Bolivia, Ecuador, Nicaragua, Colombia, Chile, and Uruguay, in addition to its existing diplomatic missions in Cuba, Argentina, Brazil, Mexico, and Venezuela.

According to a U.S. intelligence analyst, these diplomatic missions are simply fronts for Iran to carry out its nefarious activities in the region and a potential platform to increase the presence of the Qods Force operatives, a designated foreign terrorist organization and an arm of the Revolutionary Guard of Iran.

□ 1450

According to media reports, Hezbollah, which is Iran's proxy, has established a training base in Nicaragua. It is also concerning that the Ortega regime in Nicaragua does not require any visas for Iranian officials to enter the country, which can then become the gateway to enter the United States through our southern border. Ten days ago, there were news reports stating that several alleged Hezbollah members were arrested in Mexico. Iran has worked tirelessly to promote its extremist ideologies and support efforts to undermine the democratic governments throughout the region.

H.R. 3783 requires the Secretary of State to outline a U.S. Government-wide strategy to fight the aggressive actions of Iran and its proxies such as Hezbollah in the Western Hemisphere toward a comprehensive policy stance that will protect U.S. security interests.

This legislation calls for the administration to develop a plan to secure the U.S. borders with Canada and Mexico and to prevent operatives from entering the United States. It also calls for a plan to isolate Iran and its proxies from their sources of financial support, and it addresses efforts by foreign persons, entities, and governments in the region that may be assisting Iran in evading sanctions.

Lastly, it develops a plan to protect U.S. interests and assets in our Western Hemisphere, including embassies, consulates, businesses, and cultural organizations. We must ensure that the United States is actively monitoring this threat and that it takes appropriate steps to counter the Iranian regime's agenda in our hemisphere. I strongly support the passage of this legislation.

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

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

I rise in strong support of H.R. 3783, the Countering Iran in the Western Hemisphere Act of 2012.

I would like to thank the sponsor of this legislation, Mr. DUNCAN, and the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on this issue.

This bill makes available $1 million of Andean counternarcotics funding for the State Department to generate an assessment of the challenge posed to our country by Iran's presence and hostile activity in the Western Hemisphere, as well as a strategy to address whatever threats we may face from the Iranian regime.

Tehran's pursuit of a nuclear weapons capability, its continued support for international terrorism, and its abuse of basic human rights require the United States to maintain extreme vigilance in monitoring and countering its threats around the world. Though our goal has not yet been realized, thanks to the leadership of Congress and the Obama administration, more pressure has been placed on the Iranian regime than ever before. While Iran's behavior poses a clear and obvious danger to its own people, its neighbors, and to our ally Israel, its presence closer to our shores also deserves watchful attention.

The Foreign Affairs Committee has heard significant testimony on this issue from both the administration and private sources. In my capacity of first as chairman and now as ranking member of the Western Hemisphere Subcommittee on the Foreign Affairs Committee, I think there is ample evidence that Iran is up to no good in the Western Hemisphere.

Iranian President Mahmoud Ahmadinejad has openly and defiantly signaled to the U.S. in his six trips to our hemisphere that he is trolling for friends. Although it seems what Iran actually places on the table of the countries he visits is a stack of unmet promises, it is important that the U.S. Government remain vigilant and dig much deeper into the nature and effectiveness of these Iranian regime actions.

None of this occurs in a vacuum. Iran was complicit in the horrific bombings of the Israeli embassy in Buenos Aires and of the AMIA Jewish Community Center, also in Buenos Aires, which I have visited on numerous occasions. This happened in the first half of the 1990s, so it can easily be said that the first terrorist attacks on Latin American soil happened with Iran in control. We also have evidence of Iran's increasing willingness to conduct an attack on U.S. soil, such as the discovery this year of a twisted Iranian plot to assassinate the Saudi Ambassador here in Washington.

We must be alert to any Iranian attempts to circumvent sanctions and stand against efforts to curry favor with our neighbors to loosen those sanctions. We should continue to monitor intelligence links and watch the Iranian diplomatic corps, given its historical involvement in nefarious acts. We should keep a close eye on financial transactions; the chaotic nexus of drug money and terrorism in this region, in particular, deserves serious notice.

Finally, it is important to express that my support for this legislation is not in any way an indication that the Obama administration has not taken this issue seriously. The President has himself stated that his administration will continue to monitor Iran's activities in the Western Hemisphere closely, and I have personally engaged enough administration officials to be persuaded that they understand the gravity of the situation and are giving it the attention it deserves.

Still, we must be particularly vigilant toward the relationship between Iran and Venezuela, given the opacity of the ties between the regimes governing each country and the anti-American bombast of their leaders. However, there are some positive notes in our region. I would like to extend my appreciation to Brazil, the largest democracy in the hemisphere outside of the United States, which, under President Rousseff, has significantly cooled its relationship with Iran and has cast important votes in the U.N. Human Rights Council critical of the Iranian regime.

Today's polarization and bluster in Washington on so many issues can have the effect of making it difficult to separate fact from fiction. We cannot let that happen here. The stakes are too high. So, with this legislation, we provide both a strong signal to the administration to continue to monitor this situation closely as well as the resources to look across U.S. agency efforts and enforcement capabilities to make sure they are in lockstep.

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I proudly yield 4 minutes to the gentleman from South Carolina (Mr. DUNCAN), a member of our House Committee on Foreign Affairs as well as a member of the Homeland Security and Natural Resources Committees. More importantly, he is the author of this bill today.

Mr. DUNCAN of South Carolina. Thank you, Madam Chairwoman, for your leadership on this very important issue.

I want to pause to thank the gentleman from New York (Mr. HIGGINS) for his leadership on the other side of the aisle.

Last week, Congress took a rare break from our work here and from partisanship. We came together to remember those who died on 9/11 and during the war on terrorism. We stood together on the Capitol steps, and we pledged that we would never forget the heartbreaking events of that fateful day. One of the ways we can honor the memory of those who lost their lives is to be prepared so that our country will never again experience such a tragedy.

Mr. Speaker, that's why I'm standing before you today, thanking you and the Members of the body for putting partisanship aside and for working together to keep our families and our communities safe from new and emerging threats to our Nation.

We are all aware of the Iranian nuclear threat in the Middle East and globally, but there is another potential threat from Iran and its proxies that is closer to home. That threat is an emerging Iranian-backed terror network here in the Western Hemisphere. What we already know is very alarming.

We know about last October's foiled Iranian plot to assassinate the Saudi Arabian Ambassador to the U.S. here on American soil.

We know that Iran has vastly expanded its diplomatic and economic footprint in Latin America. For example, we know about the Department of Defense's 2012 Annual Report on Iran that stated:

> During the past three decades, Iran has methodically cultivated a network of sponsored terrorist surrogates capable of targeting U.S. and Israeli interests.

Just this month, the Brazilian journal Veja and others reported on a police seizure in Bolivia of 2 tons of minerals believed initially to contain uranium but more likely tantalum, which is the mineral that is in demand for, among other things, nuclear reactors and missile parts.

We know that 2 weeks ago an Israeli news organization revealed that Iran has established a Hezbollah terrorist training base in northern Nicaragua with operatives ''being trained at the base to attack Israeli and U.S. targets in the event of a raid on Iranian nuclear installations.''

□ 1500

And we know that just last week, press reports revealed that three suspected Hezbollah members were arrested just south of our border in Mexico.

None of this should come as a surprise. Iran has publicly stated that increasing their presence and ties to Latin America is one of their top foreign policy objectives; however, we must have the capabilities to defend ourselves from potential Iranian attacks here on the homeland. We must be able to clearly identify this emerging threat and develop strategies which include working with our neighbors here in this hemisphere to prevent Iran from being a danger to our country here at home.

Mr. Speaker, that's why this bill, H.R. 3783, establishes a strong U.S. posture, policy, and relationship with Latin American countries. It protects U.S. interests and assets in the Western Hemisphere, such as embassies, consulates, energy pipelines, and cultural organizations, including threats to U.S. allies. It addresses the vital national security interests of the United States by ensuring that energy supplies from the Western Hemisphere are

free from the influence of any foreign government that would attempt to manipulate or disrupt global energy markets.

This bill requires a secure U.S. border with the U.S. working in coordination with the governments of Mexico and Canada to prevent Iranian operatives from entering the United States. This bill counters the efforts by foreign persons, entities, and governments in the region which may assist Iran in evading U.S. and international sanctions.

Mr. Speaker and Madam Chairwoman, I urge that Members of this body come together and vote for this very important issue, H.R. 3783.

Last week marked the 11th anniversary of al Qaeda's attacks on the World Trade Center and the Pentagon. Al Qaeda, responsible for the tragic deaths of nearly 3,000 people on 9/11, has long operated with extensive ties to the Government of Iran. The 9/11 Commission documented that al Qaeda operatives traveled to Iran to receive training in explosives in the 1990s, that "Iran facilitated the transit of al Qaeda members into and out of Afghanistan before 9/11, and that some of these were future 9/11 hijackers." This past February, the Treasury Department designated the Iranian Ministry of Intelligence and Security for its support of terrorist groups including al Qaeda.

Today, the Iranian regime continues pursuing nuclear weapons against U.S. and international sanctions. It warns of striking U.S. military bases with its ballistic missiles in the event of an attack on Iran. It bullies the global energy market with its threats to block the Strait of Hormuz. Last October's foiled Iranian plot to assassinate the Saudi Ambassador to the U.S. revealed, as DNI Director Clapper stated, a change in "calculus" and a willingness "to conduct an attack in the United States." This year alone, a string of assassination attempts by Iran and Hezbollah in Azerbaijan, Bulgaria, Thailand, Georgia, and Kenya have only intensified this drumbeat.

Add to these dangers a growing Iranian presence in the Western Hemisphere and we have a serious security threat that demands a U.S. response. Since 2005, Iran has increased its embassies from 6 to 11 and built 17 cultural centers in Latin America. Iran's diplomacy has led to soaring trade with Latin American countries. Brazil increased its exports to Iran seven-fold over the past decade to an annual level of $2.12 billion. Iranian trade with Argentina and Ecuador has grown, and economic contracts between Iran and Venezuela have exploded to more than $20 billion in trade and cooperation agreements.

Iran has also boosted its military ties with Latin America. The Defense Department assesses "with high confidence that during the past three decades Iran has methodically cultivated a network of sponsored terrorist surrogates capable of targeting U.S. and Israeli interests." The U.S. Army War College's Strategic Studies Institute has labeled this threat tied to the explosion of relationships between transnational crime and criminalized states in Latin America an "emerging tier-one national security priority." Two weeks ago, an Israeli news organization published a story that "Iran has established a Hizbullah terrorist training base in northern Nicaragua" with operatives "being trained at the base to attack Israeli and U.S. targets in the event of a raid on Iranian nuclear installations." Last week, press reports revealed that three suspected Hezbollah members were arrested in Mexico.

None of this should come as any surprise to us. Iran has publicly stated that "the promotion of all-out cooperation with Latin American countries is among the top priorities of the Islamic Republic's foreign policy." A 2009 dossier by Israel's Ministry of Foreign Affairs put it bluntly: "since Ahmadinejad's rise to power, Tehran has been promoting an aggressive policy aimed at bolstering its ties with Latin American countries with the declared goal of 'bringing America to its knees.'

The U.S. must have the capabilities to defend itself from a potential Iranian attack on the homeland. We must have a strong posture in our region and deepening relationships with our neighbors, so we can protect U.S. interests and keep the Western Hemisphere free from hostile agents of foreign influence. We must have secure borders to prevent Iranian operatives from entering the U.S. It is unconscionable that we should let Iran use Latin American countries as a base to prepare for potential attacks against the U.S. homeland. Iran poses an incalculable risk to the safety of the U.S. homeland. Our duty is to ensure we provide for the defense of this country, and the American people expect no less. I ask for your support of this legislation.

Mr. ENGEL. Mr. Speaker, I now yield 4 minutes to my friend and colleague from the great State of New York, who is the lead Democratic sponsor of this bill, Mr. HIGGINS.

Mr. HIGGINS. First, I want to thank JEFF DUNCAN for his leadership and friendship on this issue and for his hard work on this. It's a very important bill that obviously enjoys bipartisan support.

I rise in support of H.R. 3783, the Countering Iran in the Western Hemisphere Act. This important legislation is of particular interest to western New York, and it addresses a pressing national security concern for the United States.

Mr. Speaker, Hezbollah, otherwise known as the "party of God" in Arabic, is a militant Shia organization committed to violent jihad. It is based in Lebanon, but serves as a proxy for Iran, Syria, and Venezuela. During hearings in the House Committee on Homeland Security, we heard expert testimony linking Hezbollah to criminal activity throughout the Western Hemisphere. We learned that there are roughly 80 Hezbollah operatives in the 15-nation region of Latin America and that it is involved in the South American drug trade and radicalization efforts in Mexico.

We also learned that Hezbollah has an active presence in four cities in Canada and 15 cities in the United States. I questioned the witnesses about Hezbollah's activity in North America. I asked, If Hezbollah is not targeting the United States, what are they doing here? The response was that these activities were not significant because they were largely limited to fundraising. Mr. Speaker, I don't see the distinction between terrorist activity and fundraising for terrorist activity. If Hezbollah and, by proxy, Iran are using safe havens in and around the United States, we must have a strategy to address it.

As I said, this is of particular concern to western New York because one of the communities in which Hezbollah has a presence is Toronto, which is 90 miles north of Buffalo. The Buffalo-Niagara region is within 500 miles of 55 percent of the United States population and 62 percent of the Canadian population. Our Peace Bridge is the busiest border crossing between the United States and Canada. Our Niagara Power Project is the largest energy producer in New York State, and the Department of Homeland Security, citing budgetary constraints, just dropped our preparedness funding. You can understand if we don't feel comfortable with Hezbollah 90 miles away for those who live in Buffalo.

Mr. Speaker, this bill would address the threat Hezbollah poses to communities like mine. It requires the State Department to conduct a thorough assessment of the threats we face and to develop a strategy in coordination with our allies and partners in the region to address Hezbollah's growing presence and activity in the Western Hemisphere.

Again, I want to thank my colleague, JEFF DUNCAN, for his work on this issue and his leadership on this issue. I also want to thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for their support.

I urge passage of this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm pleased to yield 3 minutes to the gentleman from New York (Mr. TURNER), a member on the House Committee on Foreign Affairs, Veterans' Affairs, and Homeland Security Committee.

Mr. TURNER of New York. Mr. Speaker, I thank the gentleman from South Carolina for introducing this resolution.

I rise today in strong support of H.R. 3783, the Countering Iran in the Western Hemisphere Act.

Last week's events in the Middle East and Africa are a stark reminder of how fragile peace can be. Iran's leaders have not been afraid to let the world know they will attack the United States and our allies, even going so far as to claim that they will wipe Israel off the face of the Earth.

Iran is emerging as a threat much closer to our shores in South America. Earlier this year, Iran's President, Mahmoud Ahmadinejad, embarked on a trip that Chairman ROS-LEHTINEN accurately characterized as a "tour of tyrants." He traveled throughout South America, where he met with Venezuela's President Chavez and attended the presidential inauguration of Daniel Ortega in Nicaragua before going on to Cuba and Ecuador.

Iran continues to deepen its relations with Latin America through its ties to the international Islamic Shia group,

Hezbollah, a State Department-designated foreign terrorist organization. According to the Congressional Research Center, Hezbollah, along with Iran, has been linked to two bombings against Jewish targets in Argentina—the 1972 bombing of the Israeli Embassy in Buenos Aires that killed 30 people and the 1994 bombing of the Argentine-Israeli Mutual Association in Buenos Aires that killed 85 people.

While increasing tensions between the United States, Israel, and Iran, we cannot simply afford to ignore the threats that are looming in South America. The Countering Iran in the Western Hemisphere Act of 2012 will ensure that threat assessments are conducted, that a cooperative strategy is put in place between the United States and her allies in the region, and our borders with Canada and Mexico are more secure. These efforts will allow our country to better protect our citizens and our interests both on our own soil and abroad.

As we have seen, the threat is real and American lives are at stake. We cannot afford to ignore the potential threats to our national security that may stem from this area of the world.

Mr. ENGEL. At this time, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I condemn all the violence that has been talked about here, and I also had the opportunity years ago to visit the synagogue in Buenos Aires that was the subject of that attack, and I paid my respects.

I want to say that as I've heard this debate, there are two things that occur to me: number one, Congress has a right to ask for reports. It's our constitutional obligation to find out what the administration is doing. I support Congress' right to get information. But at the same time, when the debate takes us in a direction to where suddenly we're at odds with Latin America, it is an argument for Congress to take a strong stand for diplomacy. I hope that as we get these reports, that we're going to underscore the importance of diplomacy not only with respect to Latin America, but also with respect to Iran. The American people do not want another war, and we need diplomacy to take us in a direction that makes war not likely.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time we have no further requests for time, and I yield back the balance of my time.

Mr. ENGEL. I also yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I rise to offer my strong support to H.R. 3783, Countering Iran in the Western Hemisphere Act, which provides for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere. I would also like to thank the gentleman from South Carolina, Mr. JEFF DUNCAN, for introducing this legislation highlighting the very real threat of Iran at America's front door.

If we have learned anything from the complete lack of progress in negotiations to keep Iran from making a nuclear weapon, it is that Iran is persistent in hostile action and insistent on establishing itself as a counterweight to U.S. power and ideals.

Iran has engaged the U.S. through its Iran Revolutionary Guard Corp (IGRC) in Iraq, resulting in the deaths of American men and service women. Iran is buttressing the morally bankrupt Assad regime in Syria as Syria massacres its own people. And Iran is attacking our friends and allies through its proxies, like Hezbollah, which boasts and arsenal of 60 to 70,000 rockets, many of which were supplied by Iran and are aimed at Israeli neighborhoods.

Iran has earned its title as a state sponsor of terrorism. No target is off limits, and simply being of Jewish descent is apparently provocation enough. In 1994, Iran orchestrated one of the worst terrorist attacks in the Western Hemisphere against the AMIA Jewish Community Center in Buenos Aires, murdering 85 people and injuring 300 more. The peace of 200,000 Jewish individuals, many of whom fled to Argentina during WWII, was shattered by this barbarous attack.

Media reports over the last few years have shown an alarming trend of increased Iranian IGRC Qods force presence and activity in Latin America. Iran's President Ahmadinejad, famous for his repeated denials of the Holocaust and dedication to wiping Israel off the map, has made visits to Latin America to cultivate alliances with Chavez, Ortega, Morales, Castro, and Correa.

These leaders have stated their commitment to Iran's nuclear activities and their faith that "Iran can give a crushing response to the threats and sanctions imposed by the West and imperialism." There is no question that Bolivia, Cuba, Ecuador, Nicaragua, and Venezuela are helping Iran evade the sanctions intended to prevent Iran from becoming a nuclear sponsor of state terrorism. The question is, what are we doing about it?

If Iran succeeds in creating a nuclear weapon, it is all too conceivable that these allies of Iran in the Western Hemisphere would be willing to provide a local launch pad, as Cuba did during the Cold War for Russian missiles aimed at the U.S.

Mr. Speaker, these threats are all too real and all too proximate. With H.R. 3783, the Administration will be required to create a coordinated, inter-agency plan to ensure that the United States is working effectively to counter Iran's hostile aspirations in the Western Hemisphere. I urge my colleagues to support this important and timely legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 3783, as amended

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

The title was amended so as to read: "A bill to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.".

A motion to reconsider was laid on the table.

□ 1510

EXPRESSING SENSE OF HOUSE TOWARD ESTABLISHMENT OF A DEMOCRATIC AND PROSPEROUS REPUBLIC OF GEORGIA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 526) expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 526

Whereas a democratic and stable Republic of Georgia is in the political, security, and economic interests of the United States;

Whereas the security of the Black Sea and South Caucasus region is important for Euro-Atlantic security, transportation, and energy diversification to and from Central Asia;

Whereas Georgia has been a reliable partner and ally in enhancing global peace and stability with its significant contribution to operations in Iraq and Afghanistan;

Whereas the United States-Georgia Charter on Strategic Partnership, signed in January 2009, outlines the importance of the bilateral relationship as well as the intent of both countries to expand democracy and economic programs, enhance defense and security cooperation, further trade and energy cooperation, and build people-to-people cultural exchanges;

Whereas in October 2010, at the meeting of the United States-Georgia Charter on Strategic Partnership, Secretary of State Hillary Rodham Clinton stated, "the United States will not waver in its support for Georgia's sovereignty and territorial integrity";

Whereas successive United States Administrations have supported Georgia's aspirations to join the North Atlantic Treaty Organization (NATO);

Whereas it was declared by the Heads of State and Government participating in the 2008 NATO Summit in Bucharest, and reaffirmed in 2009 at the Summit in Strasbourg and Kehl and in 2010 at the Summit in Lisbon, that Georgia is a NATO aspirant country, and will become a member of NATO;

Whereas the North Atlantic Council Foreign Ministers, meeting on December 7, 2011, applauded the significant operational support provided to NATO by aspirant partners Georgia, the former Yugoslav Republic of Macedonia, Montenegro and Bosnia and Herzegovina;

Whereas the August 2008, military conflict between Russia and Georgia resulted in civilian and military causalities, the violation of Georgia's sovereignty and territorial integrity, and increased the number of internally displaced persons there;

Whereas large numbers of the Georgian population remain forcefully displaced from the Abkhazia and South Ossetia regions of Georgia as a result of the August 2008 military conflict as well as the earlier conflicts in the 1990s;

Whereas since 1993, the territorial integrity of Georgia has been reaffirmed by the international community in 36 United Nations Security Council resolutions;

Whereas the August 12, 2008, ceasefire agreement negotiated by the European

Union Presidency and agreed to by the Presidents of Georgia and the Russian Federation, provides that all Russian troops shall be withdrawn to pre-conflict positions;

Whereas the Russian Federation opposed consensus on the extension of the Organization for Security and Cooperation in Europe (OSCE) Mission to Georgia, vetoed the extension of the United Nations Observer Mission in Georgia (UNOMIG) and blocked the work of the European Union Monitoring Mission (EUMM) in the occupied Georgian regions of Abkhazia and South Ossetia;

Whereas the United States supports Georgia's independence, sovereignty, and territorial integrity within the internationally recognized borders of Georgia;

Whereas Secretary of State Hillary Rodham Clinton stated in Tbilisi on July 5, 2010, that, ''We continue to call for Russia to abide by the August 2008 ceasefire commitment. . .including ending the occupation and withdrawing Russian troops from South Ossetia and Abkhazia to their pre-conflict positions'';

Whereas the White House released a Fact Sheet on July 24, 2010, calling for ''Russia to end its occupation of the Georgian territories of Abkhazia and South Ossetia. . .'' and for ''a return of international observers to the two occupied regions of Georgia'';

Whereas Vice President Joseph Biden stated in Tbilisi in July 2009 that the United States ''will not recognize Abkhazia and South Ossetia as independent states'';

Whereas Human Rights Watch concluded in its 2011 World Report that ''Russia continued to exercise effective control over South Ossetia and Abkhazia, preventing international observers' access and vetoing international missions working there'';

Whereas Human Rights Watch concluded in its 2011 World Report that ''Russia continued to occupy Georgia's breakaway regions of South Ossetia and Abkhazia and strengthened its military presence in the region by establishing a military base and placing an advanced surface-to-air missile system in Abkhazia'';

Whereas the Senate of the 112th United States Congress adopted a resolution in July 2011 affirming the United States' support for the sovereignty, independence, and territorial integrity of the country of Georgia and calling upon Russia to remove its occupying forces from Abkhazia and South Ossetia;

Whereas the United States Helsinki Commission called Russia to cease its continuing, illegal occupation of the South Ossetia and Abkhazia regions of Georgia and allow those who fled their homes during the 2008 war to go back without preconditions;

Whereas the Russian Federation therefore remains in violation of August 12, 2008, ceasefire agreement;

Whereas at the April 15, 2011, meeting in Berlin, Germany, between the Georgia foreign minister and foreign ministers of NATO, Secretary of State Clinton stated, ''U.S. support for Georgia's sovereignty and territorial integrity remains steadfast . . . . We share Georgian concerns regarding recent Russian activities that can negatively affect regional stability.'';

Whereas on November 23, 2010, Georgian President Mikheil Saakashvili committed before the European Parliament that ''Georgia will never use force to restore its territorial integrity and sovereignty'';

Whereas the Government of Georgia, beginning with the Rose Revolution of 2003, has taken significant steps toward promoting democratic and economic reforms;

Whereas in October 2012, Georgia will hold its seventh parliamentary elections since the country gained independence from the Soviet Union in 1991, and prospective presidential elections in 2013 to which the Government of Georgia has invited international election observers;

Whereas Georgia has initiated positive developments and commitments in the areas of constitutional reforms, strengthening the role of Parliament, and utilizing international election organizations and transparency;

Whereas the Head of the OSCE/ODIHR long-term Election Observation Mission determined that Georgia's May 2010 municipal elections ''were marked by clear improvements and efforts by the authorities to address problems occurring during the process. It is now time to fix the remaining shortcomings and take effective steps to prevent electoral malpractices before the next elections at the national level.''; and

Whereas recognizing that members of NATO share a common adherence to democratic norms, Georgia can best prepare itself for membership by progressing on its democratic reform agenda and ensuring that upcoming parliamentary and presidential elections are free, fair, and competitive: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports strengthened United States engagements with the Republic of Georgia aimed at helping Georgia enhance its security and to restore its territorial integrity through exclusively peaceful means;

(2) supports the implementation of the United States-Georgia Charter on Strategic Partnership, with a mutual desire to strengthen the bilateral relationship across political, economic, trade, energy, cultural, scientific, people-to-people, defense, and security fields;

(3) supports Georgia's North Atlantic Treaty Organization (NATO) membership aspirations and to advance further implementation of decisions taken by the allies at the NATO Summits in Bucharest, Strasbourg and Kehl, and Lisbon with regard to Georgia's NATO membership;

(4) affirms that it is the policy of the United States to support the sovereignty, independence, and territorial integrity of Georgia and the inviolability of its borders, and to recognize Abkhazia and South Ossetia as regions of Georgia illegally occupied by the Russian Federation and calls on the Russian Federation to fulfill all terms and conditions of the August 12, 2008, ceasefire agreement, to end the occupation of the Georgian territories of Abkhazia and South Ossetia, and to withdraw completely its troops from the internationally recognized border of Georgia;

(5) calls upon the Russian Federation, Venezuela, Nicaragua, Tuvalu, and Nauru to reverse the recognition of the occupied Georgian regions of Abkhazia and South Ossetia as independent and respect the independence, sovereignty, and territorial integrity of Georgia within its internationally recognized borders;

(6) supports the Government of Georgia's commitment to a policy of peaceful, constructive engagement and confidence building measures towards the occupied territories and encourages it to continue to uphold economic and human rights, ensure freedom of movement, facilitate people-to-people contacts, and to preserve cultural heritage, language, and ethnic identity aimed at reconciling divided communities of the Georgian regions of Abkhazia and South Ossetia;

(7) urges the Government of Russia and the authorities in control in the regions to allow for the full and dignified, secure, and voluntary return of internally displaced persons and international missions access to the regions of Abkhazia and South Ossetia;

(8) recognizes progress on government transparency and economic reforms and encourages Georgia to continue strengthening its democracy by implementing reforms that expand media transparency and freedoms, increase government transparency, accountability, and responsiveness, promote political competition and democratic electoral processes, strengthen the rule of law and judicial independence, and further implement judicial reforms; and

(9) affirms that a peaceful resolution to the conflict is a key priority for the United States in the Caucasus region, and that lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all parties.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

In the last decade, the Republic of Georgia has worked hard to implement a series of political, economic, and social reform aimed at establishing a democratic and prosperous society. These changes have often been difficult and even controversial, but the Georgian Government and its people must be commended for continuing to move forward. However, there is still much to be done.

Soon, in the next few months, there will be parliamentary and presidential elections. Much is riding on these elections being perceived to be free and fair and conducted in full compliance with international democratic standards. The U.S. strongly supports Georgia's membership in NATO, and the alliance has repeatedly stated that the Republic of Georgia will one day be welcomed as a full member.

Free and fair elections, Mr. Speaker, are fundamental to further progress toward Georgia's joining NATO. Nevertheless, Georgia is already contributing greatly to the alliance, particularly to the NATO mission in Afghanistan, where it is the second largest non-NATO contributor.

Georgia's deployed forces in Afghanistan number over 800 troops, and these do not have restrictions on their engagement in combat, which is not the case with so many other allies. Georgia has done this even as its own security situation remains precarious, given the ongoing presence by Russian troops in several regions in Georgia.

Until Russia fulfills the conditions in its 2008 cease-fire agreement, the instability and conflict it has deliberately

created will, unfortunately, continue. Russia's aggression against Georgia poses a threat to the security of the entire region. This resolution, therefore, sends a strong message that Russian actions and continued military presence in these areas are unacceptable and must end immediately.

I therefore urge my colleagues to join me in support of this important resolution.

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

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

I rise in strong support of H. Res. 526, and I would like to thank the sponsors of this legislation, the gentleman from Pennsylvania (Mr. SHUSTER) and my colleague from the Foreign Affairs Committee, Ms. SCHWARTZ, also from Pennsylvania, for their leadership on this issue.

This resolution expresses the sense of the House of Representatives with respect to the establishment of the democratic and prosperous Republic of Georgia within its internationally recognized borders, which includes Abkhazia and South Ossetia as regions of Georgia. It is time for Russia to remove its occupying forces from Abkhazia and South Ossetia and comply fully with the August 12, 2008, cease-fire agreement. It is also time for the Russian Federation, Venezuela, Nicaragua, Tuvalu, and Nauru to revoke their recognition of the Georgian regions as independent states and respect Georgia's sovereignty. The territorial integrity of Georgia has been reaffirmed by the international community multiple times in United Nations Security Council resolutions.

I commend Georgia for its commitment to a peaceful reunification of its territories and its engagement in constructive confidence-building measures towards the occupied territories aimed at reconnecting the divided communities.

Georgia has had success in laying the foundation for a liberal, democratic state, and I urge the Government of Georgia to consolidate its impressive accomplishments since the 2003 Rose Revolution. The reforms needed to strengthen Georgia's nascent democracy are well-known: an independent judiciary, respect for human rights and the rule of law, a vibrant civil society, independent media, accountable and transparent policymaking, and a balance of power between the executive and legislative branches. These reforms will be the strongest guarantor of Georgia's independence and prosperity.

Ahead of us, the October 1 parliamentary elections can serve as yet another important benchmark of the deepening democratic process in Georgia. These will be followed by presidential elections. A step backwards would not only be a blow to the development of Georgia's democracy but, ultimately, to its independence.

There have been some disturbing reports concerning efforts to prevent some political leaders from running in the parliamentary election and attempts to intimidate local opposition, including denying them access to media. These issues must be addressed in order to ensure that Georgia has truly free and fair elections.

With this resolution today, we affirm that the United States remains committed to the sanctity of Georgia's sovereignty and independence and to the inviolability of its federation and its internationally recognized borders. We also remind Georgia of the opportunity it has next month to solidify Georgia's democracy by ensuring free and fair elections.

Let me say, on a personal note, that I am very proud of the relationship between the United States and Georgia, and I would look forward to a day when Georgia is a member of the European Union and also a member of NATO. I think that the West must not overlook its commitments in Georgia simply because we may wish to have better relations with Russia.

We can never cast aside democratic principles because they happen to be inconvenient at the time. We should stand with the nation of Georgia and let the world know, including Russia, that we stand by their democracy and will not allow any slipping backwards and will not allow Russian hegemony in the area.

We stand by a free and independent Georgia, so I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), who is the chairman of the Transportation and Infrastructure Subcommittee on Railroads, Pipelines and Hazardous Materials, a member of the Armed Services Committee, and, more importantly, the author of the measure before us.

Mr. SHUSTER. Mr. Speaker, I rise today in strong support of House Resolution 526, which expresses the sense of the House of Representatives toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders. I also want to stand with the ranking member for his support of Georgia. We need to stand by a democratic Georgia, a great ally of ours.

As the cochair of the Congressional Georgia Caucus, I was proud to sponsor this resolution along with my cochair and fellow Pennsylvanian, Congresswoman ALLYSON SCHWARTZ.

Our strategic partnership with Georgia is based on shared values and common interests. A democratic and stable Republic of Georgia is in the political security and economic interests of the United States.

Georgian troops have played an important role in a variety of challenging missions across the globe, including Kosovo, Iraq, and today in Afghanistan. In fact, they just brought home 900 Georgian troops and are going to re-up with 1700 troops.

While that doesn't seem like a lot, 1,700, when we have over 80,000, but when you look at a small country like Georgia with 5 million people, sending 1,700 troops is the equivalent of the United States of America sending over 100,000 troops. They have proven to be a reliable ally.

The level of their professionalism, as well as their sacrifices in the mission in which they have been involved so far, clearly demonstrates that Georgia has much to bring to the table as a future member of NATO and as a reliable ally.

Internally, Georgia has worked to develop its democratic and market-based economic institutions for over a decade.

The August 2008 war with Russia nearly halted the economic development, depleted public resources, drove up unemployment, and left a severe humanitarian crisis in its wake. A peaceful resolution to the conflict is a key priority for the United States in the Caucasus region, which is home to another one of our strong allies, Azerbaijan. Lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all the parties.

□ 1520

It is also timely that we consider this resolution today, as Georgia is scheduled to hold parliamentary elections on October 1. Georgia has put a robust system in place to support a free and fair electoral process. These elections will be an important test to Georgia's democracy and represent a chance for all Georgians to show the world how far they have come in this last decade.

I urge my colleagues to join me in supporting this important resolution today to express our support for one of our best and most important allies, the Republic of Georgia.

Mr. ENGEL. I yield myself such time as I may consume.

Let me say in conclusion I am glad that we have cooperation, as we generally do, in the Foreign Affairs Committee for working together on these issues. But I just want to say that I wish we had more cooperation in working together on some of the other issues of the day.

We are leaving town in 2 days without enacting into law middle class tax cuts, the farm bill, the Violence Against Women Act, a responsible deficit reduction. Those are the priorities that are urgent, and we should be working on them right now in a bipartisan way—the way we are working on these issues. The American people cannot afford a Congress that refuses to act on issues critical to middle class families, small businesses, farmers, and women. So I just want to urge the Republican leadership to let us stay in

town and complete work and work together for the betterment of the American people, the way we are doing with these three resolutions.

With that, I yield back the balance of my time.

Ms. ROS-LEHTINEN. I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey, Mr. Speaker, I am pleased to support H. Res. 526, which calls for the establishment of a democratic and prosperous Republic of Georgia and a peaceful and just resolution of Georgia's conflict with its breakaway regions, Abkhazia and South Ossetia.

Our country has always backed Georgia's territorial integrity. After Russia's 2008 invasion of Georgia, Moscow essentially truncated Georgia by recognizing the independence of Abkhazia and South Ossetia. Tellingly, no other OSCE state—not even former Soviet republics economically dependent on Russia—has followed Moscow's example, understanding well the danger of the precedent. Secretary Clinton has designated Russia's policy in Abkhazia and South Ossetia as "occupation." Indeed, Moscow has pursued the ongoing militarization of these regions, which are clearly Georgian territory.

In a remarkable admission, Russian President Vladimir Putin said on August 8 that Russia had a contingency plan as early as 2006–2007 for war with Georgia and that Moscow had even trained militiamen in South Ossetia. As Georgia's Foreign Ministry notes, Putin's acknowledgement contradicts "Russia's earlier assertions that its 2008 military attack was in response to a surprise attack from Georgia and that its invasion was meant to prevent genocide and protect Russian citizens. It also underscores the premeditated nature of the invasion and highlights Moscow's utter disregard for international law."

The United States will continue to back Georgia's territorial integrity. I stand with Georgia's Government in calling on Russia to remove its occupying forces and pledge not to use force against Georgia. I also note with concern the troubling military exercises Russia has scheduled to coincide with Georgia's parliamentary elections in October in a blatant attempt at intimidation.

The upcoming election will be a critical moment in Georgia's democratic development. I hope the OSCE will be able to assess the election as free and fair. The United States stands ready to help Georgia progress towards democracy, as H. Res. 526 demonstrates.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 526, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

CONFIRMING FULL OWNERSHIP RIGHTS TO ARTIFACTS FROM ASTRONAUTS' SPACE MISSIONS

Mr. HALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4158) to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4158

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

SECTION 1. DEFINITION OF ARTIFACT.

For purposes of this Act, the term ''artifact'' means, with respect to an astronaut described in section 2(a), any expendable item utilized in missions for the Mercury, Gemini, or Apollo programs through the completion of the Apollo-Soyuz Test Project not expressly required to be returned to the National Aeronautics and Space Administration at the completion of the mission and other expendable, disposable, or personal-use items utilized by such astronaut during participation in any such program. The term includes personal logs, checklists, flight manuals, prototype and proof test articles used in training, and disposable flight hardware salvaged from jettisoned lunar modules. The term does not include lunar rocks and other lunar material.

SEC. 2. FULL OWNERSHIP OF ARTIFACTS.

(a) IN GENERAL.—A United States astronaut who participated in any of the Mercury, Gemini, or Apollo programs through the completion of the Apollo-Soyuz Test Project, who received an artifact during his participation in any such program, shall have full ownership of and clear title to such artifact.

(b) NO FEDERAL GOVERNMENT CLAIM.—The Federal Government shall have no claim or right to ownership, control, or use of any artifact in possession of an astronaut as described in subsection (a) or any such artifact that was subsequently transferred, sold, or assigned to a third party by an astronaut described in subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HALL) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 4158, the bill now under consideration.

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

There was no objection.

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

I want to begin by thanking members of the Science, Space, and Technology Committee, Republicans and Democrats, for their bipartisan support of this legislation. I especially want to commend my good friends LAMAR SMITH and EDDIE BERNICE JOHNSON for their help and for their early support.

H.R. 4158 would confirm full ownership rights to our Nation's first generation of astronauts who flew during the Mercury, Gemini, and Apollo era and who received or were allowed to retain artifacts, mementos, and other personal equipment from their missions. H.R. 4158 covers all flights beginning in 1961 through the Apollo-Soyuz Test Project, which flew in July of 1975.

From the first days of our manned spaceflight program through the Apollo-Soyuz Test Project, at the conclusion of a mission NASA managers routinely allowed astronauts to keep mementos of their flights. In some instances, astronauts were also given certain pieces of expendable equipment. The range of items included space suit emblems, expendable space suits, checklists, flight manuals, and disposable flight hardware salvaged from the jettisoned lunar landers.

A majority of these items have been in the personal possession of the astronauts for 40 years or more. Over the last decade, NASA has begun to challenge the astronauts' ownership of these mementos. This issue was first brought to my attention late last year. I was surprised to learn that NASA had, on an irregular basis, intervened several times to claim ownership.

Early this year, NASA Administrator Bolden met with a small group of astronauts to discuss the agency's artifacts policy. Following the meeting, through NASA's press office, Administrator Bolden issued a statement saying:

> These are American heroes, fellow astronauts, and personal friends who have acted in good faith, and we have committed to work together to find the right policy.

He went on to say:

> I believe there have been fundamental misunderstandings and unclear policies regarding items from the Mercury, Gemini, Apollo, and Skylab programs, and NASA appreciates the position of the astronauts, museums, learning institutions, and others who have these historic artifacts in personal and private collections.

This bill seeks to eliminate in any further ambiguity about Apollo-era artifacts that were received by the astronauts. It simply says that astronauts who flew through the end of the Apollo program will be granted full right of ownership of any artifacts received from their missions. If we don't pass this bill, the artifacts and the astronauts face huge financial risks arising from donations, gifts, and sales already completed.

These men are heroes. They're great heroes. Sadly, we had to say good-bye to one of these heroes just last week. They took extraordinary risks to establish American preeminence in space and, by doing so, helped our country become a world leader. I think it's a miscarriage of justice that today NASA should seek return of these very same mementos and keepsakes.

I reserve the balance of my time.

[From NASA News, Jan. 9, 2012]

NASA ADMINISTRATOR MEETS WITH APOLLO ASTRONAUTS; AGENCY WILL WORK COOPERATIVELY TO RESOLVE ARTIFACT OWNERSHIP ISSUES

(By David Weaver and Bob Jacobs)

WASHINGTON, DC.—The following is a statement from NASA Administrator Charles Bolden regarding the ownership of early space exploration mementos and artifacts:

''Earlier today, I had a good meeting with former Apollo astronauts Jim Lovell, Gene

Cernan, Charlie Duke, Rusty Schweickart and other representatives of former astronauts and agency personnel, where we discussed how to resolve the misunderstandings and ownership questions regarding flight mementos and other artifacts.

''These are American heroes, fellow astronauts, and personal friends who have acted in good faith, and we have committed to work together to find the right policy and legal paths forward to address outstanding ownership questions.

''I believe there have been fundamental misunderstandings and unclear policies regarding items from the Mercury, Gemini, Apollo and Skylab programs, and NASA appreciates the position of the astronauts, museums, learning institutions and others who have these historic artifacts in personal and private collections.

''We also appreciate their patience and will explore all policy, legislative and other legal means to resolve these questions expeditiously and clarify ownership of these mementos, and ensure that appropriate artifacts are preserved and available for display to the American people.''

AUGUST 16, 2012.

Hon. RALPH M. HALL,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CONGRESSMAN HALL: The recent discourse by NASA and the Congress regarding the disposition of artifacts carried on U.S. space flights in the possession of U.S. astronauts has come to my attention and resulted in a discussion between myself and Ms. Shana Dale of your office. She requested that I write a brief summary of the policy we utilized to deal with the issue of personal items to be carried by the flight crews that would later be disseminated or given as gifts to their family, friends and or associates. This policy also dealt with personal articles and other equipment used by the astronauts during the flight.

It should be noted that this policy was in effect during all of the Mercury, Gemini, Apollo and Skylab programs. However, after the questionable behavior of the astronauts regarding other carried articles to be sold or distributed for financial gain on the flight of Apollo 15, the policy was revised and more stringently administered by the NASA management.

Donald K. Slayton, Assistant Director for Flight Crew Operations was the principal NASA manager for implementing this policy with the approval of the Director of the Manned Spacecraft Center (later the Johnson Space Center) and after Apollo 15 the concurrence of the NASA Administrator.

The enclosure summarizes the policy discussed above.

Respectfully,
CHRISTOPHER C. KRAFT, JR.,
Retired Director,
NASA Johnson Space Center.

AUGUST 16, 2012.

A summary of the NASA policy regarding the astronauts permission to carry personal mementos on the space vehicles they flew and the disposition of equipment on board these vehicles deemed by NASA to be expendable.

Starting with Project Mercury, NASA astronauts were granted permission to carry specific mementos on the spacecraft they flew. These items were required to be listed and approved by the Director of Flight Crew Operations. The items had to be within a given weight limit and submitted for proper wrapping and storage by the pad support technicians. The astronauts were allowed to disseminate these mementos as they so desired.

As the space program advanced from Mercury through Apollo the requirements for carrying mementos was altered to assure the weight and the safety met the specific requirements of each program. Further, the Apollo 1 accident demanded a more stringent review of the items and their containment because of the sensitivity of the materials involved relative to combustibility and outgasing.

When the flights increased in orbital time and certain personal items became expendable the astronauts were granted permission to retain certain personal items such as shaving equipment, underwear, thermal cooling under garments, notebooks and even heavily used and expendable space suits.

As the complexity of the spacecraft increased, certain items on board the vehicles had particular relevance and meaning to the astronauts and they requested and received permission to keep these pieces of equipment on a case by case basis. In many cases this required a review by agencies such as the Smithsonian Institute since they had the over all responsibility for the U.S. of retaining the equipment that had historical significance. Such items as hand controllers, hand held cameras and computers were in this category.

It should be noted that in all of the space flights made, items such as flags, plaques and so forth were carried for use by NASA and the U.S. government. These items received a wide distribution and in some cases were given to the astronauts who flew the flight by request for many purposes including gifts to NASA personnel.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield myself such time as I may consume.

I rise in support of H.R. 4158, to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions, and I thank the leadership of Mr. HALL and all of the cosponsors.

This is a necessary bill which will protect our iconic early astronauts from needless harassment. This bill will ensure that any U.S. astronaut who participated in the historic Mercury, Gemini, or the Apollo programs will be able to keep the space artifacts which are still in their possession from those missions.

At the time of these missions, it was accepted practice that astronauts could keep expendable equipment like checklists and hygiene kits as mementos of their missions. However, this was an informal policy, and those astronauts lacked paperwork establishing ownership over these items.

This bill will protect those astronauts from any claims made by the Federal Government regarding any of these artifacts. Further, the bill protects our national interest by ensuring that any lunar rocks or other lunar material remain property of the United States.

While I do support this bill and its passage today, I would be remiss if I didn't express my concern about a possible omission. This bill does not cover any of the shuttle-era astronauts. The first American woman in space and the first African American in space were both exclusively shuttle-era astronauts, and there were many other notable astronauts during this era.

□ 1530

I think these astronauts are no less national heroes than the Apollo-era astronauts and also no less deserving of that protection.

Now, I understand this is a more difficult issue since NASA has not been able to identify when its own internal policies changed regarding astronaut artifacts. But I do think we need to figure that out and then address those astronauts' situation as soon as possible.

I do want to thank Mr. HALL for his leadership and for working with all of us on this bill, and I reserve the balance of my time.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO), the chairman of the Space and Aeronautics Subcommittee.

Mr. PALAZZO. Mr. Speaker, I rise in strong support of H.R. 4158. This legislation will resolve a conflict that has emerged within NASA over the last decade regarding the ownership of artifacts from the Mercury, Gemini, and Apollo programs. Left unresolved, as Chairman HALL pointed out, astronauts, their families, and those to whom they transferred, donated, or sold artifacts may not have clear title to them. If NASA persists in its efforts to reacquire these items that were initially received by the astronauts 40 years or more ago, significant financial consequences could befall them.

In the 1960s, as NASA began the Mercury program, agency managers allowed astronauts to carry a small number of mementos in their spacecraft. As the spacecraft became larger and larger and mission duration increased, the agency's policy evolved to allow astronauts to retain expendable personal gear such as shaving equipment, undergarments, notebooks, and expendable space suits.

During the lunar landing phase of the Apollo program, the policy further changed to allow astronauts to retrieve from the lunar lander certain pieces of hardware that would have been destroyed had it remained in the lander.

With full knowledge and consent of program managers, the astronauts were allowed to fly personal mementos as well as retain certain pieces of equipment. It is incredible to me that NASA now wants to penalize those who acted in good faith by attempting to retrieve these items.

H.R. 4158 is a necessary bill to bring closure to the debate and uncertainty regarding ownership of a small class of space artifacts. I urge all Members to support this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HALL. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I want to thank my good friend and Texas colleague, Science, Space and Technology Committee Chairman RALPH HALL, for taking the lead on

this bill and bringing it to the floor today. My hope is that after the House passes this bill the Senate will act quickly and send it to the President for his signature.

The problem this bill addresses is to confirm the ownership of mementoes the Apollo astronauts received from their journeys. I was first contacted one year ago about this problem by my constituent, Apollo 16 moonwalker Charlie Duke, who now lives in New Braunfels, Texas and also chairs the Astronaut Scholarship Foundation.

The Scholarship Foundation is one of the beneficiaries from the sale of such artifacts, and they have provided over $3 million in scholarships to college students studying science and engineering so they too can aspire to be astronauts.

At the end of the Apollo program, these mementoes were deemed to be of little value, and NASA was simply going to throw many of these items in the trash heap of history—checklists with scribbled equations and calculations in the margins, a camera and other personal effects the Apollo astronauts were offered to keep for themselves.

However, in the intervening 40 years, these mementoes took on a greater historical context, just like mementoes from past wars or famous people take on greater significance. Unfortunately, over-zealous NASA and the Justice Department lawyers recently started filing law suits against Apollo astronauts—our American heroes—and started questioning their integrity.

This is wrong. And this bill clarifies the ownership of these artifacts in the possession of our astronauts.

Chairman HALL, thank you for doing the right thing—once again—for our astronauts.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HALL) that the House suspend the rules and pass the bill, H.R. 4158.

The question was taken.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

VETERANS FIDUCIARY REFORM AND HONORING NOBLE SERVICE ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5948) to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5948

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Fiduciary Reform and Honoring Noble Service Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Improvement of fiduciaries for veterans.
Sec. 3. Establishment of Place of Remembrance at Arlington National Cemetery.
Sec. 4. Furnishing caskets and urns for deceased veterans with no known next of kin.
Sec. 5. Improved communication between Department of Veterans Affairs and medical examiners and funeral directors.
Sec. 6. Report on compliance of Department of Veterans Affairs with industry standards for caskets and urns.
Sec. 7. Exclusion of persons convicted of committing certain sex offenses from interment or memorialization in national cemeteries, Arlington National Cemetery, and certain State veterans' cemeteries and from receiving certain funeral honors.
Sec. 8. Veterans freedom of conscience protection.
Sec. 9. Provision of access to case-tracking information.
Sec. 10. Notification by the Secretary of Veterans Affairs of individuals whose sensitive personal information is involved in a data breach.
Sec. 11. Limitation on bonuses for Department of Veterans Affairs employees who violate Federal civil laws or regulations.
Sec. 12. Limitation on awards and bonuses to employees of the Department of Veterans Affairs.

SEC. 2. IMPROVEMENT OF FIDUCIARIES FOR VETERANS.

(a) APPOINTMENT AND SUPERVISION.—

(1) Section 5502 of title 38, United States Code, is amended to read as follows:

''§ 5502. Appointment of fiduciaries

''(a) APPOINTMENT.—(1) Where it appears to the Secretary that the interest of the beneficiary would be served thereby, payment of benefits under any law administered by the Secretary may be made directly to the beneficiary or to a relative or some other fiduciary for the use and benefit of the beneficiary, regardless of any legal disability on the part of the beneficiary.

''(2) When in the opinion of the Secretary, a temporary fiduciary is needed in order to protect the benefits provided to the beneficiary under any law administered by the Secretary while a determination of incompetency is being made or appealed or a fiduciary is appealing a determination of misuse, the Secretary may appoint one or more temporary fiduciaries for a period not to exceed 120 days. If a final decision has not been made within 120 days, the Secretary may not continue the appointment of the fiduciary without obtaining a court order for appointment of a guardian, conservator, or other fiduciary under the authority provided in section 5502(b) of this title.

''(b) APPEALS.—(1) If the Secretary determines a beneficiary to be mentally incompetent for purposes of appointing a fiduciary under this chapter, the Secretary shall provide such beneficiary with a written statement detailing the reasons for such determination.

''(2) A beneficiary whom the Secretary has determined to be mentally incompetent for purposes of appointing a fiduciary under this chapter may appeal such determination.

''(c) MODIFICATION.—(1) A beneficiary for whom the Secretary appoints a fiduciary under this chapter may, at any time, request the Secretary to—

''(A) remove the fiduciary so appointed; and

''(B) have a new fiduciary appointed.

''(2) The Secretary shall comply with a request under paragraph (1) unless the Secretary determines that the request is not made in good faith.

''(3) The Secretary shall ensure that any removal or new appointment of a fiduciary under paragraph (1) does not delay or interrupt the beneficiary's receipt of benefits administered by the Secretary.

''(d) INDEPENDENCE.—A fiduciary appointed by the Secretary shall operate independently of the Department to determine the actions that are in the interest of the beneficiary.

''(e) PREDESIGNATION.—A veteran may predesignate a fiduciary by—

''(1) submitting written notice to the Secretary of the predesignated fiduciary; or

''(2) submitting a form provided by the Secretary for such purpose.

''(f) APPOINTMENT OF NON-PREDESIGNATED FIDUCIARY.—If a beneficiary designates an individual to serve as a fiduciary under subsection (e) and the Secretary appoints an individual not so designated as the fiduciary for such beneficiary, the Secretary shall notify such beneficiary of—

''(1) the reason why such designated individual was not appointed; and

''(2) the ability of the beneficiary to modify the appointed fiduciary under subsection (c).

''(g) PRIORITY OF APPOINTMENT.—In appointing a fiduciary under this chapter, if a beneficiary does not designate a fiduciary pursuant to subsection (e), to the extent possible the Secretary shall appoint a person who is—

''(1) a relative of the beneficiary;

''(2) appointed as guardian of the beneficiary by a court of competent jurisdiction; or

''(3) authorized to act on behalf of the beneficiary under a durable power of attorney.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by striking the item relating to section 5502 and inserting the following:

''5502. Appointment of fiduciaries.''.

(b) SUPERVISION.—

(1) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by inserting after section 5502, as amended by subsection (a)(1), the following new section:

''§ 5502A. Supervision of fiduciaries

''(a) COMMISSION.—(1)(A) In a case in which the Secretary determines that a commission is necessary in order to obtain the services of a fiduciary in the best interests of a beneficiary, the Secretary may authorize a fiduciary appointed by the Secretary to obtain from the monthly benefits provided to the beneficiary a reasonable commission for fiduciary services rendered, but the commission for any month may not exceed the lesser of the following amounts:

''(i) The amount that equals three percent of the monthly monetary benefits under laws administered by the Secretary paid on behalf of the beneficiary to the fiduciary.

''(ii) $35.

''(B) A commission paid under this paragraph may not be derived from any award to a beneficiary regarding back pay or retroactive benefits payments.

''(C) A commission may not be authorized for a fiduciary who receives any other form of remuneration or payment in connection with rendering fiduciary services for benefits under this title on behalf of the beneficiary.

''(D) In accordance with section 6106 of this title, a commission may not be paid to a fiduciary if the Secretary determines that the

fiduciary misused any benefit payments of a beneficiary.

''(E) If the Secretary determines that the fiduciary has misused any benefit or payments of a beneficiary, the Secretary may revoke the fiduciary status of the fiduciary.

''(2) Where, in the opinion of the Secretary, any fiduciary receiving funds on behalf of a Department beneficiary is acting in such a number of cases as to make it impracticable to conserve properly the estates or to supervise the persons of the beneficiaries, the Secretary may refuse to make future payments in such cases as the Secretary may deem proper.

''(b) COURT.—Whenever it appears that any fiduciary, in the opinion of the Secretary, is not properly executing or has not properly executed the duties of the trust of such fiduciary or has collected or paid, or is attempting to collect or pay, fees, commissions, or allowances that are inequitable or in excess of those allowed by law for the duties performed or expenses incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward, then the Secretary may appear, by the Secretary's authorized attorney, in the court which has appointed such fiduciary, or in any court having original, concurrent, or appellate jurisdiction over said cause, and make proper presentation of such matters. The Secretary, in the Secretary's discretion, may suspend payments to any such fiduciary who shall neglect or refuse, after reasonable notice, to render an account to the Secretary from time to time showing the application of such payments for the benefit of such incompetent or minor beneficiary, or who shall neglect or refuse to administer the estate according to law. The Secretary may require the fiduciary, as part of such account, to disclose any additional financial information concerning the beneficiary (except for information that is not available to the fiduciary). The Secretary may appear or intervene by the Secretary's duly authorized attorney in any court as an interested party in any litigation instituted by the Secretary or otherwise, directly affecting money paid to such fiduciary under this section.

''(c) PAYMENT OF CERTAIN EXPENSES.—Authority is hereby granted for the payment of any court or other expenses incident to any investigation or court proceeding for the appointment of any fiduciary or other person for the purpose of payment of benefits payable under laws administered by the Secretary or the removal of such fiduciary and appointment of another, and of expenses in connection with the administration of such benefits by such fiduciaries, or in connection with any other court proceeding hereby authorized, when such payment is authorized by the Secretary.

''(d) TEMPORARY PAYMENT OF BENEFITS.—All or any part of any benefits the payment of which is suspended or withheld under this section may, in the discretion of the Secretary, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary, to be used solely for the benefit of such beneficiary, or, in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is a patient nor apportioned to the veteran's dependent or dependents may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order and in the discretion of the Secretary for the benefit of such beneficiary or the beneficiary's dependents. Any balance remaining in such fund to the credit of any beneficiary may be paid to the beneficiary if the beneficiary recovers and is found competent, or if a minor, attains majority, or otherwise to the beneficiary's fiduciary, or, in the event of the beneficiary's death, to the beneficiary's personal representative, except as otherwise provided by law; however, payment will not be made to the beneficiary's personal representative if, under the law of the beneficiary's last legal residence, the beneficiary's estate would escheat to the State. In the event of the death of a mentally incompetent or insane veteran, all gratuitous benefits under laws administered by the Secretary deposited before or after August 7, 1959, in the personal funds of patients trust fund on account of such veteran shall not be paid to the personal representative of such veteran, but shall be paid to the following persons living at the time of settlement, and in the order named: The surviving spouse, the children (without regard to age or marital status) in equal parts, and the dependent parents of such veteran, in equal parts. If any balance remains, such balance shall be deposited to the credit of the applicable current appropriation; except that there may be paid only so much of such balance as may be necessary to reimburse a person (other than a political subdivision of the United States) who bore the expenses of last sickness or burial of the veteran for such expenses. No payment shall be made under the two preceding sentences of this subsection unless claim therefor is filed with the Secretary within five years after the death of the veteran, except that, if any person so entitled under said two sentences is under legal disability at the time of death of the veteran, such five-year period of limitation shall run from the termination or removal of the legal disability.

''(e) ESCHEATMENT.—Any funds in the hands of a fiduciary appointed by a State court or the Secretary derived from benefits payable under laws administered by the Secretary, which under the law of the State wherein the beneficiary had last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such fiduciary, or by the personal representative of the deceased beneficiary, less legal expenses of any administration necessary to determine that an escheat is in order, to the Department, and shall be deposited to the credit of the applicable revolving fund, trust fund, or appropriation.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by inserting after the item relating to section 5502 the following new item:

''5502A. Supervision of fiduciaries.''.

(c) DEFINITION OF FIDUCIARY.—Section 5506 of title 38, United States Code is amended—

(1) by striking ''For purposes'' and inserting ''(a) For purposes''; and

(2) by adding at the end the following new subsection:

''(b)(1) For purposes of subsection (a), the term 'person' includes any—

''(A) State or local government agency whose mission is to carry out income maintenance, social service, or health care-related activities;

''(B) any State or local government agency with fiduciary responsibilities; or

''(C) any nonprofit social service agency that the Secretary determines—

''(i) regularly provides services as a fiduciary concurrently to five or more individuals; and

''(ii) is not a creditor of any such individual.

''(2) The Secretary shall maintain a list of State or local agencies and nonprofit social service agencies under paragraph (1) that are qualified to act as a fiduciary under this chapter. In maintaining such list, the Secretary may consult the lists maintained under section 807(h) of the Social Security Act (42 U.S.C. 1007(h)).''.

(d) QUALIFICATIONS.—Section 5507 of title 38, United States Code, is amended to read as follows:

''§ 5507. Inquiry, investigations, and qualification of fiduciaries

''(a) INVESTIGATION.—Any certification of a person for payment of benefits of a beneficiary to that person as such beneficiary's fiduciary under section 5502 of this title shall be made on the basis of—

''(1) an inquiry or investigation by the Secretary of the fitness of that person to serve as fiduciary for that beneficiary to be conducted in advance of such certification and in accordance with subsection (b);

''(2) adequate evidence that certification of that person as fiduciary for that beneficiary is in the interest of such beneficiary (as determined by the Secretary under regulations);

''(3) adequate evidence that the person to serve as fiduciary protects the private information of a beneficiary in accordance with subsection (d)(1); and

''(4) the furnishing of any bond that may be required by the Secretary, in accordance with subsection (f).

''(b) ELEMENTS OF INVESTIGATION.—(1) In conducting an inquiry or investigation of a proposed fiduciary under subsection (a)(1), the Secretary shall conduct—

''(A) a face-to-face interview with the proposed fiduciary by not later than 30 days after the date on which such inquiry or investigation begins; and

''(B) a background check of the proposed fiduciary to—

''(i) in accordance with paragraph (2), determine whether the proposed fiduciary has been convicted of a crime; and

''(ii) determine whether the proposed fiduciary will serve the best interest of the beneficiary, including by conducting a credit check of the proposed fiduciary and checking the records under paragraph (5).

''(2) The Secretary shall request information concerning whether that person has been convicted of any offense under Federal or State law. If that person has been convicted of such an offense, the Secretary may certify the person as a fiduciary only if the Secretary finds that the person is an appropriate person to act as fiduciary for the beneficiary concerned under the circumstances.

''(3) The Secretary shall conduct the background check described in paragraph (1)(B)—

''(A) each time a person is proposed to be a fiduciary, regardless of whether the person is serving or has served as a fiduciary; and

''(B) at no expense to the beneficiary.

''(4) Each proposed fiduciary shall disclose to the Secretary the number of beneficiaries that the fiduciary acts on behalf of.

''(5) The Secretary shall maintain records of any person who has—

''(A) previously served as a fiduciary; and

''(B) had such fiduciary status revoked by the Secretary.

''(6)(A) If a fiduciary appointed by the Secretary is convicted of a crime described in subparagraph (B), the Secretary shall notify the beneficiary of such conviction by not later than 14 days after the date on which the Secretary learns of such conviction.

''(B) A crime described in this subparagraph is a crime—

''(i) for which the fiduciary is convicted while serving as a fiduciary for any person;

''(ii) that is not included in a report submitted by the fiduciary under section 5509(a) of this title; and

''(iii) that the Secretary determines could affect the ability of the fiduciary to act on behalf of the beneficiary.

''(c) INVESTIGATION OF CERTAIN PERSONS.—(1) In the case of a proposed fiduciary described in paragraph (2), the Secretary, in conducting an inquiry or investigation under subsection (a)(1), may carry out such inquiry or investigation on an expedited basis that may include giving priority to conducting such inquiry or investigation. Any such inquiry or investigation carried out on such an expedited basis shall be carried out under regulations prescribed for purposes of this section.

''(2) Paragraph (1) applies with respect to a proposed fiduciary who is—

''(A) the parent (natural, adopted, or stepparent) of a beneficiary who is a minor;

''(B) the spouse or parent of an incompetent beneficiary;

''(C) a person who has been appointed a fiduciary of the beneficiary by a court of competent jurisdiction;

''(D) being appointed to manage an estate where the annual amount of veterans benefits to be managed by the proposed fiduciary does not exceed $3,600, as adjusted pursuant to section 5312 of this title; or

''(E) a person who is authorized to act on behalf of the beneficiary under a durable power of attorney.

''(d) PROTECTION OF PRIVATE INFORMATION.—(1) A fiduciary shall take all reasonable precautions to—

''(A) protect the private information of a beneficiary, including personally identifiable information; and

''(B) securely conducts financial transactions.

''(2) A fiduciary shall notify the Secretary of any action of the fiduciary that compromises or potentially compromises the private information of a beneficiary.

''(e) POTENTIAL MISUSE OF FUNDS.—(1) If the Secretary has reason to believe that a fiduciary may be misusing all or part of the benefit of a beneficiary, the Secretary shall—

''(A) conduct a thorough investigation to determine the veracity of such belief; and

''(B) if such veracity is established, transmit to the officials described in paragraph (2) a report of such investigation.

''(2) The officials described in this paragraph are the following:

''(A) The Attorney General.

''(B) Each head of a Federal department or agency that pays to a fiduciary or other person benefits under any law administered by such department of agency for the use and benefit of a minor, incompetent, or other beneficiary.

''(f) BOND.—In requiring the furnishing of a bond under subsection (a)(4), the Secretary shall—

''(1) ensure that any such bond is not paid using any funds of the beneficiary; and

''(2) consider—

''(A) the care a proposed fiduciary has taken to protect the interests of the beneficiary; and

''(B) the capacity of the proposed fiduciary to meet the financial requirements of the bond without sustaining hardship.

''(g) LIST OF FIDUCIARIES.—Each regional office of the Veterans Benefits Administration shall maintain a list of the following:

''(1) The name and contact information of each fiduciary, including address, telephone number, and email address.

''(2) With respect to each fiduciary described in paragraph (1)—

''(A) the date of the most recent background check and credit check performed by the Secretary under this section;

''(B) the date that any bond was paid under this section;

''(C) the name, address, and telephone number of each beneficiary the fiduciary acts on behalf of; and

''(D) the amount that the fiduciary controls with respect to each beneficiary described in subparagraph (C).''.

(e) ANNUAL RECEIPT OF PAYMENTS.—

(1) IN GENERAL.—Section 5509 of title 38, United States Code, is amended—

(A) in subsection (a)——

(i) by striking ''may require a fiduciary to file a'' and inserting '', subject to regulations prescribed pursuant to subsection (f), shall require a fiduciary to file an annual''; and

(ii) by adding at the end the following new sentence: ''The Secretary shall transmit such annual report or accounting to the beneficiary and any legal guardian of such beneficiary.'';

(B) by adding at the end the following new subsections:

''(c) MATTERS INCLUDED.—An annual report or accounting under subsection (a) shall include the following:

''(1) For each beneficiary that a fiduciary acts on behalf of—

''(A) the amount of the benefits of the beneficiary accrued during the year, the amount spent, and the amount remaining; and

''(B) if the fiduciary serves the beneficiary with respect to benefits not administered by the Secretary, an accounting of all sources of benefits or other income the fiduciary oversees for the beneficiary.

''(2) A list of events that occurred during the year covered by the report that could affect the ability of the fiduciary to act on behalf of the beneficiary, including—

''(A) the fiduciary being convicted of any crime;

''(B) the fiduciary declaring bankruptcy; and

''(C) any judgments entered against the fiduciary.

''(d) RANDOM AUDITS.—The Secretary shall annually conduct random audits of fiduciaries who receive a commission pursuant to subsection 5502A(a)(1) of this title.

''(e) STATUS OF FIDUCIARY.—If a fiduciary includes in the annual report events described in subsection (c)(2), the Secretary may take appropriate action to adjust the status of the fiduciary as the Secretary determines appropriate, including by revoking the fiduciary status of the fiduciary.

''(f) REGULATIONS.—(1) In prescribing regulations to carry out this section, the Secretary, in consultation with the Under Secretary for Benefits and the Under Secretary for Health, shall ensure that the care provided by a fiduciary described in paragraph (2) to a beneficiary is not diminished or otherwise worsened by the fiduciary complying with this section.

''(2) A fiduciary described in this paragraph is a fiduciary who, in addition to acting as a fiduciary for a beneficiary, provides care to the beneficiary pursuant to this title (including such care provided under section 1720G of this title).''; and

(C) by striking the section heading and inserting the following: ''**Annual reports and accountings of fiduciaries**''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of title 38, United States Code, is amended by striking the item relating to section 5509 and inserting the following new item:

''5509. Annual reports and accountings of fiduciaries.''.

(f) REPAYMENT OF MISUSED BENEFITS.—Section 6107(a)(2)(C) of title 38, United States Code, is amended by inserting before the period the following: '', including by the Secretary not acting in accordance with section 5507 of this title''.

(g) ANNUAL REPORTS.—Section 5510 of title 38, United States Code, is amended by striking ''The Secretary shall include in the Annual Benefits Report of the Veterans Benefits Administration or the Secretary's Annual Performance and Accountability Report'' and inserting ''Not later than July 1 of each year, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a separate report containing''.

(h) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' of the House of Representatives a comprehensive report on the implementation of the amendments made by this Act, including—

(1) detailed information on the establishment of new policies and procedures pursuant to such amendments and training provided on such policies and procedures; and

(2) a discussion of whether the Secretary should provide fiduciaries with standardized financial software to simplify reporting requirements.

SEC. 3. ESTABLISHMENT OF PLACE OF REMEMBRANCE AT ARLINGTON NATIONAL CEMETERY.

(a) ESTABLISHMENT AUTHORIZED.—

(1) IN GENERAL.—Chapter 446 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4727. Place of Remembrance at Arlington National Cemetery

''(a) ESTABLISHMENT AUTHORIZED.—Under regulations prescribed by the Secretary of Defense, the Secretary of the Army may establish at an appropriate location in Arlington National Cemetery a Place of Remembrance for the interment of cremated specimens or other portion of the remains of a deceased member of the armed forces described in subsection (b) when one of the conditions specified in subsection (c) applies with respect to the remains of the member.

''(b) COVERED MEMBERS.—This section applies only with respect to members of the armed forces who die while on active duty—

''(1) in a war or contingency operation; or

''(2) in the line of duty, consistent with regulations prescribed by the Secretary of the Army with respect to burial at Arlington National Cemetery.

''(c) CONDITIONS ON INTERMENT OF REMAINS.—The conditions under which cremated specimens or other portion of the remains of a deceased member of the armed forces described in subsection (b) (including cremated specimens or other portion of remains believed by the Secretary concerned to be from the remains of the deceased member) are authorized to be interred in the Place of Remembrance are any of the following:

''(1) The remains are unidentified.

''(2) The person designated under section 1482(c) of this title to direct disposition of the remains of the member agrees to interment of the remains in the Place of Remembrance.

''(3) The person designated under section 1482(c) of this title to direct disposition of the remains of the member has indicated to the Secretary concerned that no further notification is required if a specimen or portion of the remains of the member is discovered.

''(4) When, especially in historical cases, the Secretary concerned determines that there is no one authorized to direct the disposition of the remains of the member and the Secretary concerned recommends interment of the remains in the Place of Remembrance.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4727. Place of Remembrance at Arlington National Cemetery.''.

(b) RETROACTIVE APPLICATION.—Section 4727 of title 10, United States Code, as added by subsection (a), applies with respect to any war or contingency operation in which members of the Armed Forces participated and covers members of the Armed Forces who died in the line of duty before the date of the enactment of this Act, consistent with regulations prescribed by the Secretary of the Army with respect to burial at Arlington National Cemetery.

SEC. 4. FURNISHING CASKETS AND URNS FOR DECEASED VETERANS WITH NO KNOWN NEXT OF KIN.

(a) IN GENERAL.—Section 2306 of title 38, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

''(f) The Secretary shall furnish a casket or urn, of such quality as the Secretary considers appropriate for a dignified burial, for burial in a national cemetery of a deceased veteran described in section 2414(b) of this title.''; and

(3) in subsection (h), as redesignated by paragraph (1), by adding at the end the following new paragraph:

''(4) A casket or urn may not be furnished under subsection (f) for burial of a person described in section 2411(b) of this title.''.

(b) EFFECTIVE DATE.—Subsections (f) and (h)(4) of section 2306 of title 38, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to deaths occurring on or after such date.

SEC. 5. IMPROVED COMMUNICATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND MEDICAL EXAMINERS AND FUNERAL DIRECTORS.

(a) IN GENERAL.—Chapter 24 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 2414. Communication between Department of Veterans Affairs and medical examiners and funeral directors

''(a) REQUIRED INFORMATION.—With respect to each deceased veteran described in subsection (b) who is transported to a national cemetery for burial, the Secretary shall ensure that the local medical examiner, funeral director, county service group, or other entity responsible for the body of the deceased veteran before such transportation submits to the Secretary the following information:

''(1) Whether the deceased veteran was cremated.

''(2) The steps taken to ensure that the deceased veteran has no next of kin.

''(b) DECEASED VETERAN DESCRIBED.—A deceased veteran described in this subsection is a deceased veteran whom the Secretary determines—

''(1) that there is no next of kin or other person claiming the body of the deceased veteran; and

''(2) does not have sufficient resources to cover burial and funeral expenses.

''(c) DETERMINATION OF SUFFICIENT RESOURCES.—If the Secretary is unable to make a reasonable determination of the amount of the resources of a deceased veteran under subsection (b)(2), the Secretary shall deem such resources to be an amount that is not sufficient to cover burial and funeral expenses.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2413 the following new item:

''2414. Communication between Department of Veterans Affairs and medical examiners and funeral directors.''.

(c) EFFECTIVE DATE.—Section 2414 of title 38, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to deaths occurring on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 6. REPORT ON COMPLIANCE OF DEPARTMENT OF VETERANS AFFAIRS WITH INDUSTRY STANDARDS FOR CASKETS AND URNS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the compliance of the Department of Veterans Affairs with industry standards for caskets and urns.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of industry standards for caskets and urns.

(2) An assessment of compliance with such standards at National Cemeteries administered by the Department with respect to caskets and urns used for the interment of those eligible for burial at such cemeteries.

SEC. 7. EXCLUSION OF PERSONS CONVICTED OF COMMITTING CERTAIN SEX OFFENSES FROM INTERMENT OR MEMORIALIZATION IN NATIONAL CEMETERIES, ARLINGTON NATIONAL CEMETERY, AND CERTAIN STATE VETERANS' CEMETERIES AND FROM RECEIVING CERTAIN FUNERAL HONORS.

(a) PROHIBITION AGAINST.—Section 2411(b) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(4) A person—

''(A) who has been convicted of a Federal or State crime causing the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.);

''(B) who, for such crime, is sentenced to a minimum of life imprisonment; and

''(C) whose conviction is final (other than a person whose sentence was commuted by the President or Governor of a State, as the case may be).''.

(b) CONFORMING AMENDMENTS.—Section 2411(a)(2) of such title is amended—

(1) by striking ''or (b)(2)'' each place it appears and inserting '', (b)(2), or (b)(4)''; and

(2) by striking ''capital'' each place it appears.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interments and memorializations that occur on or after the date of the enactment of this Act.

SEC. 8. VETERANS FREEDOM OF CONSCIENCE PROTECTION.

Section 2404 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(h)(1) With respect to the interment or funeral, memorial service, or ceremony of a deceased individual at a national cemetery, the Secretary shall ensure that—

''(A) the expressed wishes of the next of kin or other agent of the deceased individual are respected and given appropriate deference when evaluating whether the proposed interment or funeral, memorial service, or ceremony affects the safety and security of the national cemetery and visitors to the cemetery;

''(B) to the extent possible, all appropriate public areas of the cemetery, including committal shelters, chapels, and benches, may be used by the family of the deceased individual for contemplation, prayer, mourning, or reflection; and

''(C) during such interment or funeral, memorial service, or ceremony, the family of the deceased individual may display any religious or other symbols chosen by the family.

''(2) Subject to regulations prescribed by the Secretary under paragraph (5), including such regulations ensuring the security of a national cemetery, the Secretary shall provide to any military or volunteer veterans honor guard, including such guards belonging to a veterans service organization or other non-governmental group that provides services to veterans, access to public areas of a national cemetery if such access is requested by the next of kin or other agent of a deceased individual whose interment or funeral, memorial service, or ceremony is being held in such cemetery.

''(3) With respect to the interment or funeral, memorial service, or ceremony of a deceased individual at a national cemetery, the Secretary shall notify the next of kin or other agent of the deceased individual of funeral honors available to the deceased veteran, including such honors provided by any military or volunteer veterans honor guard described in paragraph (2).

''(4) Any person aggrieved by a violation of this subsection or any regulation prescribed pursuant to this subsection may in a civil action in an appropriate Federal court obtain any appropriate relief against the Federal Government with respect to the violation. Standing to assert a claim or defense under this subsection shall be governed by the general rules of standing under Article III of the Constitution.

''(5) The Secretary shall prescribe regulations to carry out this subsection.''.

SEC. 9. PROVISION OF ACCESS TO CASE-TRACKING INFORMATION.

(a) IN GENERAL.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following:

''§ 5906. Provision of access to case-tracking information

''(a) IN GENERAL.—(1) In accordance with subsection (b), the Secretary shall provide a covered employee with access to the case-tracking system to provide a veteran with information regarding the status of a claim submitted by such veteran, regardless of whether such employee is acting under a power of attorney executed by such veteran.

''(2) In providing a covered employee with access to the case-tracking system under paragraph (1), the Secretary shall ensure—

''(A) that such access—

''(i) is provided in a manner that does not allow such employee to modify the data contained in such system; and

''(ii) does not include access to medical records; and

''(B) that each time a covered employee accesses such system, the employee must certify that such access is for official purposes only.

''(b) PRIVACY CERTIFICATION COURSE.—The Secretary may not provide a covered employee with access to the case-tracking system under subsection (a)(1) unless the covered employee has successfully completed a certification course on privacy issues provided by the Secretary.

''(c) TREATMENT OF DISCLOSURE.—The access to information by a covered employee pursuant to subsection (a)(1) shall be deemed to be—

''(1) a covered disclosure under section 552a(b) of title 5; and

''(2) a permitted disclosure under regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

''(d) DEFINITIONS.—In this section:

''(1) The term 'case-tracking system' means the system of the Department of Veterans Affairs that provides information regarding the status of a claim submitted by a veteran.

''(2) The term 'covered employee' means—

''(A) an employee of a Member of Congress who assists the constituents of the Member with issues regarding departments or agencies of the Federal Government; or

''(B) an employee of a State or local governmental agency (including a veterans service officer) who, in the course of carrying out the responsibilities of such employment, assists veterans with claims for any benefit under the laws administered by the Secretary.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''5906. Provision of access to case-tracking information.''.

SEC. 10. NOTIFICATION BY THE SECRETARY OF VETERANS AFFAIRS OF INDIVIDUALS WHOSE SENSITIVE PERSONAL INFORMATION IS INVOLVED IN A DATA BREACH.

(a) IN GENERAL.—Subchapter III of chapter 57 of title 38, United States Code is amended by inserting after section 5724 the following new section:

''§ 5724A. Data breach notification

''(a) NOTIFICATION REQUIREMENT.—Except as provided in subsection (d), in the event of a data breach with respect to sensitive personal information that is processed or maintained by the Secretary, by not later than 10 business days after the date on which the Secretary learns of the data breach, the Secretary shall notify the appropriate committees of Congress and each individual whose sensitive personal information is involved in the data breach is notified of the data breach. If the Secretary determines that providing such notification within 10 business days is not feasible due to circumstances necessary to accurately identify the individuals whose sensitive personal information is involved in the data breach or to prevent further breach or unauthorized disclosure and reasonably restore the integrity of the data system the Secretary shall provide such notification not later than 15 business days after the date on which the Secretary learns of the data breach.

''(b) CONTRACTS FOR DATA PROCESSING OR MAINTENANCE.—If the Secretary enters into a contract for the performance of any Department function that requires access to sensitive personal information, the Secretary shall require as a condition of the contract that the contractor agree to provide notification of data breaches in the same manner as required of the Secretary under subsection (a).

''(c) METHOD AND CONTENT OF NOTIFICATION.—(1) Notification provided to an individual under subsection (a) shall be provided clearly and conspicuously by one of the following methods:

''(A) Written notification.

''(B) Notification by email or other electronic means, if the Secretary's primary method of communication with the individual is by email or such other electronic means.

''(2) Regardless of the method by which notification is provided to an individual under paragraph (1), such notification shall include—

''(A) a description of the sensitive personal information involved in the data breach;

''(B) a telephone number that the individual may use, at no cost to the individual, to contact an appropriate employee of the Department to inquire about the data breach or the individual's sensitive personal information maintained by the Department;

''(C) notice that the individual is entitled to receive, at no cost to such individual, credit protection services under section 5724 of this title;

''(D) the toll-free contact telephone numbers and addresses for the major credit reporting agencies; and

''(E) a toll-free telephone number and website address whereby the individual may obtain information regarding identity theft.

''(d) NOTIFICATION OF GENERAL PUBLIC.—The Secretary, acting through the Office of Public Affairs of the Department, shall notify the general public concerning any data breach involving sensitive personal information by not later than 10 business days after the date on which the Secretary learns of the data breach, unless the Secretary determines that to do so is not feasible due to circumstances necessary to accurately identify the individuals whose sensitive personal information is involved in the data breach or to prevent further breach or unauthorized disclosure and reasonably restore the integrity of the data system, such notification shall be made as soon as possible.

''(e) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term 'appropriate committees of Congress' means the Committee on Veterans Affairs' of the House of Representatives and the Committee on Veterans' Affairs of the Senate.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5724 the following new item:

''5724A. Data breach notification.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a data breach occurring on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 11. LIMITATION ON BONUSES FOR DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES WHO VIOLATE FEDERAL CIVIL LAWS OR REGULATIONS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 713. Limitation on bonuses

''(a) IN GENERAL.—(1) The Secretary shall ensure that no employee of the Department who, during any year, knowingly violates any law, regulation, or policy described in paragraph (2) receives a bonus for or during that year.

''(2) A law, regulation, or policy described in this paragraph is any of the following:

''(A) A Federal civil law or Federal regulation, including such civil laws or regulations covered under the Federal Acquisition Regulation and the Veterans Affairs Acquisition Regulation.

''(B) An internal policy of the Department.

''(b) CERTIFICATION.—The Secretary shall annually certify to Congress that each bonus awarded by the Secretary during the previous year was awarded in accordance with subsection (a)(1).

''(c) BONUS DEFINED.—For purposes of this section, the term 'bonus' includes—

''(1) a retention incentive;

''(2) a retention incentive payment;

''(3) a retention incentive award; and

''(4) any other incentive requiring approval from the Central Office Human Resource Service, the Chief Business Office Workforce Management, or the Corporate Senior Executive Management Office.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''713. Limitation on bonuses.''.

SEC. 12. LIMITATION ON AWARDS AND BONUSES TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

For each of fiscal years 2013 through 2017, the Secretary of Veterans Affairs may not pay more than $357,613,229 in awards or bonuses under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

H.R. 5948, as amended, makes great strides towards protecting some of our Nation's most vulnerable veterans in improving the quality of other memorial benefits that our veterans have earned.

First and foremost, this bill will bring needed protections and reforms to our most vulnerable veterans. For far too long, bad actors in VA's fiduciary program have taken advantage of veterans in every part of this great Nation. When pressed on this issue by the committee, VA claimed that the program was fine and did not need any statutory changes.

This bill will help weed out those bad actors and implement the necessary oversight actions VA has failed to take while simplifying the confusing and burdensome requirements of those beneficiaries performing their jobs well on behalf of those veterans.

The VA fiduciary program is intended to administer benefits for veterans deemed incompetent to handle their own finances by the Department of Veteran Affairs fiduciary program. Numerous deficiencies within the program have been highlighted by the Veterans' Affairs Committee and brought to the VA's attention; yet the Department is continually slow to act and fix these systemic problems.

Among those problems are fiduciaries that are embezzling veterans' funds, refusing to pay a veteran's utility bills, fiduciaries taking more than the amount authorized by law as commission for services rendered, convicted felons appointed as fiduciaries, and fiduciaries telling veterans to conserve money by not running their air conditioning during the summer months.

Mr. Speaker, despite these tragic stories, VA maintains that its fiduciary program is, in fact, sound, an argument difficult to justify when earlier this month a couple pleaded guilty to stealing over $2 million from 49 veterans. I hate to tell you that this is not an isolated case. At the beginning of 2012, a U.S. district judge sentenced two VA-appointed fiduciaries to prison for stealing nearly $900,000 from 10 different veterans. In both cases, the fiduciaries used the stolen funds to go gambling, among other things.

The Veterans Fiduciary Reform and Noble Service Act makes much-needed

improvements to VA's fiduciary program by allowing veterans to appeal the appointment of a fiduciary, allowing a veteran to request that a new fiduciary be appointed when cause can be shown, and to designate a preferred fiduciary ahead of time, such as a family member.

The bill would also remove the profit motive for predatory fiduciaries by reducing the commission that's paid to them to a level in line with Social Security's program that's equivalent. Fiduciaries would have to undergo background checks, minimizing the chance for unqualified fiduciaries to enter the system. They'd also have to account in writing for their disbursement of a veteran's income on an annual basis, addressing another lapse in oversight the VA has failed to address.

Section 3 of the legislation designates a ''Place of Remembrance'' at Arlington National Cemetery to serve as a dignified final resting place for remains of veterans that may not otherwise have a final resting place. This section is in direct response to our learning last year that cremated remains were being taken from Dover Air Force Base to a landfill, a practice that took place over a 4-year period.

Sections 4, 5, and 6 aim to address an incident that happened at the Bushnell National Cemetery where a veteran with no known next of kin was buried in a cardboard box.

Section 4 requires the Secretary of Veterans Affairs to furnish an appropriate casket or urn for a deceased veteran with no known next of kin, where no other person claims the body, and the veteran lacks sufficient resources to cover burial and funeral expenses.

Section 5 improves the communication between the VA and funeral directors and the medical examiner's office by requiring the Secretary to ensure that any entity transporting the body of a deceased veteran to a national cemetery submits to VA whether the deceased veteran was cremated and whether or not steps were taken to ensure the deceased veteran has no next of kin.

Section 6 requires the Secretary to submit to both the House and Senate Committees on Veterans' Affairs a report within 180 days of enactment of this legislation detailing VA's compliance with industry standards for caskets and urns, including a description of the industry standards for caskets and urns and an assessment of compliance at the national cemeteries that are currently being administered by VA.

Section 7 of H.R. 5948, as amended, would bar convicted tier 3 sex offenders sentenced to a minimum of life in prison from burial in national veterans cemeteries and some State veterans cemeteries. Currently, those convicted of capital crimes are prohibited from such burial, and this will prohibit people convicted of an equally heinous crime from tarnishing the honor of veterans cemeteries.

Section 8 ensures that the explicit wishes of a veteran's family with regard to religious expressions are honored during interment or inurnment ceremonies at a VA national cemetery. Last year, officials at the Houston National Cemetery were accused of restricting religious speech at a ceremony.

□ 1540

While that specific incident was resolved in the courts, this section provides a legislative safeguard for all national cemeteries. Section 9 would allow County Veterans Service officers and some congressional employees access to read-only information regarding the status of a veteran's claim.

During a roundtable discussion between the committee and county veterans service officers, one of the main obstacles highlighted to answering veterans' questions was the lack of access to claims file information. Facilitating this additional level of assistance in the claims process is one simple step we can take to help veterans and potentially address the growing claims backlog.

Section 10, as amended, will improve protections to veterans whose sensitive information has been compromised by the VA. Now, veterans may not know right now that their personal information has been compromised for well over a month after it has occurred, but in this time of predatory identity theft, that's far too long and much damage could have taken place.

Section 11 of the bill adds a commonsense prohibition on the payment of bonuses to VA employees who violate Federal law, including Federal or VA acquisition regulations.

Section 12 rolls back the current average of nearly $400 million the VA annually pays out in bonuses and other incentives, findings that both the committee and VA's own inspector general show numerous cases of unjustified awards—often to employees with poor performance records—and significant retention incentives going to long-term employees who had publicly stated they were already preparing to retire while others around the country are taking steps to better manage their own budgets. It's time the VA does the very same.

With all of this, I want to urge my colleagues to join me in supporting H.R. 5948, as amended.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of the bill, H.R. 5948, which is a mini-omnibus of veterans' measures that run the gamut of issues, such as improving the policy on notification of data breaches of veterans' personal information, to reforming of the Department of Veterans Affairs' fiduciary program, to ensuring that veterans with no known next of kin receive the dignified burial they deserve.

I thank all of the Members for their hard work on these measures, particularly Chairman MILLER and Ranking Mr. FILNER; Chairman RUNYAN of New Jersey and Mr. MCNERNEY of California, the chair and ranking member of the Disability Assistance and Memorial Affairs Subcommittee; Mr. JOHNSON of Ohio and Mr. DONNELLY of Indiana, chair and ranking member of the Oversight and Investigations Subcommittee. Their bipartisan work on the committee, along with the staff efforts, have helped ensure that the provisions of this bill are meaningful and sound for veterans on all fronts.

H.R. 5948 contains language from a bill introduced by Mr. DONNELLY which will significantly improve the VA's notification requirements following a data breach involving a veteran's sensitive personal information.

We must work harder to protect veterans' personal identifiable information, including their Social Security number. And rapid notification procedures when breaches occur will stem the tide of harm any veteran, their family, or a survivor has to incur.

In that same vein of protecting our veterans, this bill also contains a long-overdue overhaul of the VA fiduciary program. The additional provisions seek to ensure that our most vulnerable VA beneficiaries who cannot manage on their own are provided the utmost protections of their hard-earned benefits.

In my district, the number one concern among the constituents that are brought before my congressional offices deals with veterans issues. And I'm so pleased that H.R. 5948 includes a provision to grant county veterans service officers, other State and local employees, as well as staff of Members of Congress greater access to veterans' claims information and for tracking purposes.

I wholeheartedly support the mission of this measure and the work of our county veterans service officers and the tireless work of my staff, as I know other Members of Congress' staff, as it relates to veterans' issues.

Finally, this bill will establish a Place of Remembrance at Arlington National Cemetery for unidentified cremated remains of our servicemen and -women. This will ensure that not one of our veterans or servicemembers is left behind or forgotten.

Mr. Speaker, according to the Department of Defense, more than 48,000 servicemembers have been wounded in action while serving in the recent conflicts. Today, 18 veterans and servicemembers will take their lives by their own hands. These are sobering statistics. In caring for the injured men and women in uniform, we must continue to address their needs so they may live in dignity after their honorable military service.

I have only begun to name a few important provisions of this bill, and I want to thank the chairman for his work to bring this bill before the committee. I would urge my colleagues to support the bill, and I respectfully reserve the balance of my time.

Mr. MILLER of Florida. I want to thank Mr. MICHAUD for his fine work on this legislation and others that our committee has been involved in.

Mr. Speaker, one of the most important subcommittees within VA is Oversight and Investigations. That's why I asked the gentleman from Ohio (Mr. JOHNSON) to chair that subcommittee.

With that, I yield 2 minutes to the gentleman from Ohio on this bill.

Mr. JOHNSON of Ohio. Mr. Speaker, I am proud to sponsor the Veterans Fiduciary Reform and Noble Service Act. This important legislation will transform the VA's fiduciary program to better serve the needs of our most vulnerable veterans and their hardworking fiduciaries; but most importantly, it will protect veterans in the program from falling victim to deceitful and criminal fiduciaries.

Since our February hearing, hardly a week has gone by where the Oversight and Investigations Subcommittee has not been contacted about a fiduciary issue. Many of these issues have involved honest and hardworking fiduciaries who are caught in the rigid bureaucratic trap that is the VA's fiduciary program. This bill will go a long way toward making that unyielding bureaucracy more responsive to the needs of the veterans that it is supposed to serve.

We have heard many complaints about the requirement for fiduciaries to obtain a bond. While proper in some settings, it is inappropriate when it causes unnecessary hardship, such as a mother caring for her veteran son. This bill will require the VA to consider whether a bond is necessary and if it will adversely affect the fiduciary and the veterans he or she serves.

The Veterans Fiduciary Program and Noble Service Act will also direct VA's Under Secretaries for Health and Benefits to coordinate their efforts to ensure that fiduciaries caring for their loved ones are not overly burdened by redundant requirements.

Finally, Mr. Speaker, this bill aims to simplify annual reporting requirements. Currently, the VA does not have to review a fiduciary's annual accounting, and when it does, it places an onerous burden on those fiduciaries who are serving out of love, not for monetary gain. This bill will implement a straightforward annual accounting requirement and gives the VA the opportunity to audit fiduciaries whose accounting is suspect.

I'd like to thank my colleagues on the committee on both sides of the aisle for their work in this bipartisan effort.

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

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of New Jersey (Mr. RUNYAN), also somebody who has been very involved in helping us put this piece of legislation together.

Mr. RUNYAN. I thank Chairman MILLER.

I rise today in support of H.R. 5948, the Veterans Fiduciary Reform and Honoring Noble Service Act of 2012.

In addition to several important provisions that address many needed improvements to VA's fiduciary program, as chairman of the Subcommittee on Disability Assistance and Memorial Affairs, I would like to draw attention to several other important provisions of this bill.

First, section 9 of the bill provides for improved access to case-tracking information for certain government employees, including county veterans service officers.

□ 1550

It is my hope that allowing these local service officers to assist with the veterans claims process that more claims will be completed in a more timely manner.

There are also several other provisions in this bill that further honor the final resting places of our Nation's fallen heroes by providing improvements to the VA's national cemetery program and burial process, as well as at Arlington National Cemetery.

I believe we have a solemn obligation to cherish the memory and the heroic actions of our fallen heroes by holding ourselves and our organizations to the highest standards, which this legislation aims to do.

Therefore, I urge all Members to support H.R. 5948.

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

Mr. MILLER of Florida. Mr. Speaker, I now yield 1 minute to the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. I'd like to thank the gentleman for yielding.

As a Member of Congress and a serviceman, I was as shocked as everyone else by the stories coming out late last year about Dover Air Force Base mortuary sending cremated unidentified remains to the Prince George's landfill. It's a terrible injustice to our servicemembers, and it can't be allowed to happen again.

While unidentified partial remains are now cremated and buried at sea, I believe we should not leave those heroes behind. My bill that became section 3 of H.R. 5948 creates a place of remembrance at Arlington National Cemetery for each conflict moving forward and ensures the remains of those who served and gave their lives have a final resting place that's deserving and worthy of their dedication and devotion.

I'd like to thank the chairman, and I'd like to thank the gentleman from Minnesota (Mr. WALZ), and the gentleman from New Jersey (Mr. RUNYAN) for their help and assistance on the bill.

I would ask my colleagues to support H.R. 5948 and help ensure that there's a place of remembrance for those who've given their final measure of devotion, especially if their remains are unidentified, and make sure we send their remains to a place worthy of their dedication and commitment and devotion.

Mr. MICHAUD. Mr. Speaker, it's my understanding Chairman MILLER has no further speakers.

Mr. MILLER of Florida. That's correct, no further speakers.

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

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members would have 5 legislative days within which to revise and extend their remarks on H.R. 5948, as amended.

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

There was no objection.

Mr. MILLER of Florida. I thank you once again and encourage all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 5948, as amended.

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

The title was amended so as to read: ''A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, to establish a Place of Remembrance at Arlington National Cemetery, and for other purposes.''.

A motion to reconsider was laid on the table.

VA MAJOR CONSTRUCTION AUTHORIZATION AND EXPIRING AUTHORITIES EXTENSION ACT OF 2012

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6375) to authorize certain Department of Veterans Affairs major medical facility projects and leases, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6375

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''VA Major Construction Authorization and Expiring Authorities Extension Act of 2012''.

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

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
Sec. 3. Scoring of budgetary effects.

TITLE I—CONSTRUCTION AUTHORIZATIONS

Sec. 101. Authorization of fiscal year 2013 major medical facility projects.

Sec. 102. Authorization of major medical facility project in Miami, Florida.
Sec. 103. Authorization of appropriations.
TITLE II—EXTENSIONS OF CERTAIN EXPIRING AUTHORITIES
Sec. 201. Extension of authority to calculate the net value of real property securing a defaulted loan for purposes of liquidation.
Sec. 202. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.
Sec. 203. Extension of authority to provide treatment, rehabilitation, and certain other services for seriously mentally ill and homeless veterans.
Sec. 204. Extension of authority to provide expanded services to homeless veterans.
Sec. 205. Extension of authority to provide housing assistance for homeless veterans.
Sec. 206. Extension of authority for the Advisory Committee on Homeless Veterans.
Sec. 207. Extension of authority for the performance of medical disability examinations by contract physicians.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—CONSTRUCTION AUTHORIZATIONS

SEC. 101. AUTHORIZATION OF FISCAL YEAR 2013 MAJOR MEDICAL FACILITY PROJECTS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects in fiscal year 2013 in the amount specified for each project:

(1) Construction of a mental health building at the Department of Veterans Affairs Medical Center, Seattle, Washington, in an amount not to exceed $222,000,000.

(2) Construction of a spinal cord injury center at the Department of Veterans Affairs Medical Center, Dallas, Texas, in an amount not to exceed $155,200,000.

SEC. 102. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECT IN MIAMI, FLORIDA.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the major medical facility project described in subsection (b) in an amount not to exceed a total of $41,000,000.

(b) PROJECT DESCRIBED.—The major medical facility project described in this subsection is the renovation of the surgical suite and operating rooms at the Department of Veterans Affairs Medical Center, Miami, Florida.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2013 or the year in which funds are appropriated for the Construction, Major Projects, account $377,200,000 for the projects authorized in section 101.

(b) LIMITATION.—In addition to any limitations under section 8104 of title 38, United States Code, or other provision of law that apply to the projects authorized in section 101 and 102, such projects may only be carried out using—

(1) funds appropriated for fiscal year 2013 pursuant to the authorization of appropriations in subsection (a) of this section;

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2013 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2013 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2013 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before 2013 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after 2013 for a category of activity not specific to a project.

TITLE II—EXTENSIONS OF CERTAIN EXPIRING AUTHORITIES

SEC. 201. EXTENSION OF AUTHORITY TO CALCULATE THE NET VALUE OF REAL PROPERTY SECURING A DEFAULTED LOAN FOR PURPOSES OF LIQUIDATION.

Section 3732(c)(11) is amended by striking ''October 1, 2012'' and inserting ''October 1, 2013''.

SEC. 202. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''. Such section 315 shall be carried out as amended by this section notwithstanding the date described in section 151 of the Continuing Appropriations Resolution, 2013.

SEC. 203. EXTENSION OF AUTHORITY TO PROVIDE TREATMENT, REHABILITATION, AND CERTAIN OTHER SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

Section 2031(b) is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SEC. 204. EXTENSION OF AUTHORITY TO PROVIDE EXPANDED SERVICES TO HOMELESS VETERANS.

Section 2033(d) is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SEC. 205. EXTENSION OF AUTHORITY TO PROVIDE HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 2041(c) is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SEC. 206. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SEC. 207. EXTENSION OF AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (38 U.S.C. 5101 note) is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

This bill, as amended, would authorize certain Department of Veterans Affairs major medical facility projects, and it would also extend certain expiring authorities.

It encompasses VA's fiscal year for 2013, for major medical facility projects, and already tracks with the resources we have already provided to the Department for health care matters in the appropriations bill that was passed by the House with bipartisan support. It would aid in the delivery of health care to services and to servicemembers, veterans, and their families in communities all across this country.

It authorizes two major medical facility projects, the construction of a mental health building at the VA Medical Center in Seattle, Washington, in an amount not to exceed $222 million, and the construction of a spinal cord injury center at the VA Medical Center in Dallas, Texas, in an amount not to exceed $155.2 million.

Section 102 of the bill would authorize the renovation of the surgical suite and operating rooms at the Medical Center in Miami, in an amount not to exceed $41 million. I would note that this project was originally undertaken by the Department in 2007 as two separate minor construction projects.

However, in 2008, the two separate projects were combined into a single initiative without the knowledge of VA's central office, or the approval, in direct violation of established procedures. The VA officials first became aware of this issue in February of this year, and in April of this year they determined that the combined project constituted a major construction project that had moved forward without congressional authorization as required by law.

Work on the project is currently suspended, at a cost of approximately $6,000 a day. As soon as our committee became aware of the issue, we requested an in-depth briefing from VA officials to get to the bottom of the issue and to ensure that the leaders of the VA responsible for this egregious oversight were, in fact, held accountable.

It's really nothing short of unacceptable to this committee and, I would hope, to this Congress that this facility had been openly flouting VA policy and, more importantly, breaking Federal law for 4 years without consequence before somebody at VA took notice.

How many other VA projects have moved forward without regard for proper procedure, legal requirements, or congressional authorization; and how long has the central office not been paying attention?

The committee will continue to be vigorous in our oversight. But in the meantime, we cannot allow the American taxpayer or the veterans of south Florida to suffer because of a bureaucratic failing or lack of leadership.

The Department has proposed using approximately $12.1 million in prior-year major construction advance planning funds to complete the remainder of the Miami project; and I've been assured repeatedly by VA officials that the use of this money will in no way negatively impact the planning or design of any other project.

I've also been assured by the Department that once congressional authorization is received, the project can be completed in 120 days. I'm hopeful that the Department is correct in its assessment of the work that remains and that this provision will allow for the completion of this project to better serve the veterans in the Miami area.

Section 103 of this bill would authorize the appropriation of $377.2 million for VA major construction projects. Title II of this bill would extend expiring authorities for several programs within VA, including programs designed to help veterans keep their homes, gain greater access to compensation and pension examinations, better serve veterans living in the Philippines, and provide supportive services to those who are homeless.

This legislation represents a bipartisan effort; and I'd like to express my thanks to the ranking member, Mr. FILNER, and Mr. MICHAUD for his hard work and leadership in quickly advancing this important legislation to the floor.

And before I yield, I'd like to point out that the bill before us today does not include major medical facility lease authorizations, as it normally would, due to concerns raised late last week by the Congressional Budget Office about how to properly account for the total cost of VA's lease authorization.

Mr. Speaker, I want to assure our veterans and stakeholders that I am committed to working closely with my colleagues in the Senate, the administration's Office of Management and Budget, and the Congressional Budget Office to find a way forward on those important authorizations in the very near future.

I urge all of my colleagues to join me in support of H.R. 6375, as amended.

I reserve the balance of my time.

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

I'd like to thank my colleagues for the hard work and effort on this very important bill as well.

Each year, as we assess the construction needs of the Department of Veterans Affairs, we do so with the safety and health of our veterans in mind, as well as fulfilling our statutory requirements to authorize major medical facility projects. This is a responsibility that we do not take lightly.

□ 1600

H.R. 6375, the VA Major Construction Authorization and Expiring Authorities Extension Act of 2012, would authorize approximately over $377 million for major medical facility projects. Specifically included is the authorization for a mental health building at the VA Medical Center in Seattle, Washington, and for a spinal cord injury facility at the VA Medical Center in Dallas, Texas. Mr. Speaker, these authorizations provide the Department of Veterans Affairs the ability to provide state-of-the-art health care and services to our Nation's veterans wherever they choose to live.

I would like to take a few moments to comment on section 102, which provides the authority for the renovation of the surgical suite and the operating rooms at the VA Medical Center in Miami, Florida.

Earlier this year, it was brought to the committee's attention that VA was going to need additional authorization to finish the renovation of the operating suites in Miami. It is my understanding that, during the design phase of the original projects, an assessment was conducted, and the recommendation was to completely close down the surgical suite because of infection control and safety issues related to construction. Because of these, two smaller Miami projects were combined, and the cost exceeded the monetary threshold of $10 million that governs the need to seek congressional authority. Working in a bipartisan manner, with the concerns for the safe continuation of surgery in the Miami VA Medical Center always first and foremost in our minds, we have included this project so that VA can move forward without delay.

In addition to major facility projects, H.R. 6375 provides for the extension of certain expiring authorities. I am pleased to strongly support the extensions of the programs that directly affect some of our most vulnerable veterans—the serious mentally ill and homeless. Finally, Mr. Speaker, we have also included an extension of VA's contract authority with private providers of compensation and pension exams.

I support these provisions, but I also want to ensure that we remain vigilant in our oversight of this authority. As such, I am pleased to see 1-year extensions of these authorities, and I urge my colleagues to support H.R. 6375.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, we have no more speakers on this particular piece of legislation.

Mr. MICHAUD. Mr. Speaker, in closing, I would encourage my colleagues on both sides of the aisle to support this particular piece of legislation, which is very important for our veterans.

I would be remiss, though, if I didn't say that, like my colleague from New York earlier, I am disappointed that we are leaving Washington when we have a lot of work to do, such as the middle class tax cuts, the farm bill, the Violence Against Women Act, and responsible deficit reduction, as well as my bill that addresses the issue of our military, members of which are supposed to be clothed from head to toe with American-made clothing. The fact that the administration is not complying with the Berry amendment is very disappointing. Hopefully, we will be able to address these issues before the end of the year so that we can take care of a lot of the concerns that my constituents have brought forth.

With that, I yield back the balance of my time.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 6375, as amended.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I appreciate my colleague for helping to point out the fact that the Senate, itself, has not acted on many of the pieces of legislation that, in fact, this House has passed and sent over to it. It is a shame that, for the last 3 years, they have not taken up such good legislation.

With that, I thank my colleagues once again for their support, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 6375, as amended.

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

The title was amended so as to read: ''A bill to authorize certain Department of Veterans Affairs major medical facility projects, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes.''.

A motion to reconsider was laid on the table.

CONFIRMING FULL OWNERSHIP RIGHTS TO ARTIFACTS FROM ASTRONAUTS' SPACE MISSIONS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the ordering of the yeas and nays on the motion that the House suspend the rules and pass the bill (H.R. 4158) to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions, be vacated, to the end that the Chair put the question de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Texas (Mr. HALL) that the House suspend the rules and pass the bill, H.R. 4158.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CUTTING FEDERAL UNNECESSARY AND EXPENSIVE LEASING ACT OF 2012

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6324) to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6324

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cutting Federal Unnecessary and Expensive Leasing Act of 2012'' or the ''Cutting FUEL Act''.

SEC. 2. REDUCTION OF THE NUMBER OF NONESSENTIAL VEHICLES PURCHASED AND LEASED BY THE FEDERAL GOVERNMENT.

(a) REVIEW OF NONESSENTIAL VEHICLE PURCHASE.—The Director of the Office of Management and Budget, in consultation with the head of the relevant Executive agency, shall complete each of the following:

(1) Determine the total dollar amount obligated by each Executive agency to purchase civilian vehicles in fiscal year 2010.

(2) Determine the total dollar amount obligated by each Executive agency to lease civilian vehicles in fiscal year 2010.

(3) Determine the total number of civilian vehicles purchased by each Executive agency in fiscal year 2010.

(4) Determine the total number of civilian vehicles leased by each Executive agency in fiscal year 2010.

(5) Determine the total dollar amount that would be 20 percent less than the dollar amount determined under paragraphs (1) and (2) for each Executive agency.

(b) REDUCTION OF NONESSENTIAL VEHICLE PURCHASE.—For each of fiscal years 2013 through 2017, each Executive agency may not obligate more than the dollar amount identified pursuant to subsection (a)(5) to purchase and lease civilian vehicles.

(c) SHARING.—The Administrator of General Services shall ensure that an Executive agency may share excess or unused vehicles with another Executive agency that may need temporary or long-term use of additional vehicles through the Federal Fleet Management System.

(d) NATIONAL SECURITY EXCEPTION.—The limits on the purchase and procurement of vehicles provided in this section shall not apply to the purchase or procurement of any vehicle that has been determined by the President to be essential for reasons of national security.

(e) DEFINITIONS.—In this section:

(1) CIVILIAN VEHICLE.—The term ''civilian vehicle'' means a vehicle that is not used for purposes of military combat, the training or deployment of uniformed military personnel, or such other uses as determined by the Director of the Office of Management and Budget, in consultation with the Administrator of General Services.

(2) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given that term under section 105 of title 5, United States Code.

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

H.R. 6324, the Cutting Federal Unnecessary and Expensive Leasing Act, or Cutting FUEL Act, of 2012 is a bipartisan piece of legislation introduced by Mr. HANNA of New York and Mr. BARROW of Georgia.

With a $16 trillion debt, Congress and the Federal Government need to spend taxpayer dollars more efficiently and help reduce costs. Federal agencies currently own or lease roughly 660,000 cars, vans, sport utility vehicles, trucks, buses, and ambulances; and I'm sure there are a host of other items as well. During fiscal year 2011, the Federal Government spent roughly $4.4 billion to maintain and operate these vehicles, including $1.3 billion in fuel costs alone. During the last 5 years, Federal agencies purchased an average of approximately 68,000 new vehicles annually at a cost of roughly $1.5 billion per year.

The Bowles-Simpson National Commission on Fiscal Responsibility and Reform recommended reducing the number of nonessential vehicles owned or leased by Federal agencies, other than the Department of Defense or the postal service, by 20 percent. According to some estimates, this proposal could save up to $500 million over the next 10 years.

The Cutting FUEL Act would reduce the government's spending on civilian vehicle purchases and leases by 20 percent and would maintain that reduced level of spending for 5 years. This reduction would not apply to military or postal vehicles, and there is an exception provided for national security vehicles as well.

Mr. Speaker, I think this is a good, commonsense piece of legislation, and we want to encourage Members to support this bill.

I reserve the balance of my time.

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

I rise in opposition to H.R. 6324, the Cutting FUEL Act. This bill is being rushed to the floor without any hearings or considerations by the Oversight and Government Reform Committee. The result is a poorly drafted bill that may have harmful, unintended consequences. This bill would require all Federal agencies to reduce their purchases and leases of vehicles by 20 percent, below 2010 expenditure levels. This reduction would not apply to military vehicles, and an exception is provided for vehicles necessary for national security purposes.

While my colleagues' goal is to cut government spending and force agencies to spend their money more efficiently, this bill is not the way to achieve those objectives. This bill does not take into account agencies that have already decreased their fleet sizes by improving fleet management procedures. According to a recent GAO report, agencies such as the Air Force have implemented various fleet downsizing policies and have made efforts to eliminate vehicles that are not mission critical. Instead of examining the needs of each individual agency, this bill simply makes a sweeping 20 percent cut applicable to all agencies regardless of whether they have already made significant improvements.

□ 1610

The GAO also noted that some agencies, like the Department of Veterans Affairs, have increased their fleet sizes due to expanded programs essential to assisting our disabled veterans. This bill would prevent agencies, such as the VA, from effectively serving our veterans when they return home from war.

Mr. Speaker, we come to the House floor only to bring up legislation that was recently introduced in August. There have been no hearings in committee, no amendments, no markups, no substantive debate, all of which could have made significant improvements to the bill.

The American people are asking their elected officials to be bipartisan and pass legislation to add more jobs to our economy. We should focus on extending the tax cuts for the middle class, or passing legislation to resolve the looming crisis in the postal service. But, no, the Republican majority and their leadership would rather focus on passing messaging bills before the election. They prefer to leave Washington and campaign, rather than take up the real issues that confront our country.

Mr. Speaker, I urge my colleagues to oppose this legislation, and I ask that we get back to doing the work of the people.

With that, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the chief sponsor of this legislation, the gentleman from New York (Mr. HANNA).

Mr. HANNA. Mr. Speaker, I rise in support of H.R. 6324, the Cutting Federal Unnecessary and Expensive Leasing Act. I sponsored this legislation with my friend and colleague from Georgia (Mr. BARROW).

Mr. Speaker, this is a simple bill which takes up a recommendation of the bipartisan Simpson-Bowles commission to help our Federal Government operate more efficiently. The Federal Government now owns and operates over 500,000 civilian vehicles, according to the Government Accountability Office. Simpson-Bowles found that the government's annual vehicle budget is over $4 billion, and the Federal fleet has increased by 30,000 vehicles in recent years. These are staggering numbers at any time, but particularly when our national debt has surpassed $16 trillion.

Rapid advances in technologies like video conferencing and telecommuting are making travel much less necessary, not more. The National Commission on Fiscal Responsibility and Reform recommended that the Federal Government's fleet be cut and trimmed by 20 percent. The Cutting FUEL Act does just that. It requires civilian Federal agencies over the next 5 years to spend 20 percent less than their fiscal year 2010 levels on vehicles purchased and leased. The bill exempts our Armed Forces, postal service, and other vehicles which have a national security purpose as determined by the Office of Management and Budget and General Services Administration.

The bill encourages agencies to share vehicles with another agency that may need temporary or long-term use of additional vehicles. For example, if the VA required additional vehicles to meet certain program needs, the administration could task other agencies to help and assist the VA. The benefits of this bill are clear. We will be saving hundreds of millions of dollars over 10 years that are better used for deficit reduction or core agency missions. We will be reducing congestion on our roads. And because these fleets burn more than 1 million gallons of fuel each day, we will be saving fuel costs and reducing emissions. The simple reality is that we have to cut spending, and the Federal Government needs to live within its means. Buying and leasing new cars that the government does not need and cannot afford is a waste of hard-earned taxpayer dollars.

I would also note that the Congress has capped its own spending on vehicle leases for the past 2 years, an amendment which I authored. This bill today is just another commonsense bipartisan solution to save where it makes obvious sense.

Mr. Speaker, I urge my colleagues to support this legislation.

Mrs. MALONEY. Mr. Speaker, I yield 3 minutes to JOHN BARROW from the great State of Georgia.

Mr. BARROW. I thank the gentlelady for the time.

Mr. Speaker, I'm pleased to reach across the aisle in support of the Cutting FUEL Act, a commonsense bill to cut wasteful government spending by reducing the number of nonessential vehicles purchased by the Federal Government.

Any family or business knows that you can't spend beyond your means. The government should work the same way. Buying brand new cars the Federal Government doesn't need is a waste of hard-earned taxpayer dollars, and this bill puts an end to that.

The government spends $4 billion a year to maintain and operate over 650,000 vehicles. Since 2006, the Federal Government has added over 20,000 vehicles to this fleet, and the cost of operating these vehicles has gone up 5.4 percent.

I recently introduced H.R. 6144, which also cuts the Federal vehicle fleet by 20 percent. Like the Cutting FUEL Act, it makes an exception for vehicles that are essential to national security while reducing the size of the nonessential Federal Government fleet by 20 percent. This is just one of the many recommendations of the bipartisan Simpson-Bowles commission, and over the next 10 years it will save literally hundreds of millions of dollars of taxpayer money.

I'm pleased to join my colleague, Representative HANNA, in support of his version of this legislation, because acting in a bipartisan fashion isn't just the right way to do things around here, it's the only way to actually get things done around here. However much we tend to forget that in this body, it's the only way to deal with the other body, and it's the only way to truly represent the Nation as a whole.

The folks we represent deserve a government that is responsible with their hard-earned dollars. I thank Congressman HANNA for introducing the Cutting FUEL Act, and I urge my colleagues to support this commonsense bipartisan bill.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers, but I will continue to reserve the balance of my time.

Mrs. MALONEY. I have no additional speakers and yield myself such time as I may consume.

I do want to stress that we should not be adjourning. We should continue to work and try to do things to preserve Medicare. This Congress has voted to end Medicare as we know it, to turn it into a voucher system.

And we need to extend the middle class tax breaks, and jobs—the President's jobs bill. Many of my colleagues on both sides of the aisle, Republican and Democratic, have come forward with jobs bills that we could consider on passing and working.

I must say they are very urgent priorities, and the American people are calling my office, and I'm sure all of my colleagues, concerning the farm bill. We need to pass a farm bill.

The Violence Against Women Act, this used to be bipartisan legislation. It was introduced as bipartisan legislation. Yet, in this Congress, people have voted to repeal some of the protections, and we have not been able to have a consensus on what has historically been a consensus issue.

On the war on women, I am issuing a report today that shows that the Republican majority is not only out of step with the Main Street of America and the Democratic majority, but they are out of step with the historic Republican Party. The historic Republican Party—in fact, I'll give one example: title X. George H.W. Bush was the author of title X when it passed, and it was signed by a Republican President. This Congress voted to defund title X—family planning, birth control. This is unprecedented.

So there are many things that we need to address. I would say specifically the farm bill and the reauthorization of the Violence Against Women Act. This should be an area where we could all agree and come together. I urge my colleagues not only to vote against this particular bill, but also to speak to their leadership on the other side of the aisle that these pressing issues should be taken up and should be addressed.

Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

□ 1620

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

Mr. Speaker, I would hope we would be very bipartisan, at least here in the House of Representatives, in criticizing the United States Senate for not acting on what has passed in this House of Representatives.

It is crystal clear from the record that it has been more than 1,200 days since the United States Senate has addressed and passed a budget. We have passed more than 30 bills that are directly related to jobs and the economy out of the House of Representatives, sit directly in the United States Senate and continue to not be addressed.

I would hope that my colleague would join me in this bipartisan chorus to say this is ridiculous. We can't do the work of the people if the United States Senate doesn't actually do their job. I think I would agree in concept that, yes, there is work to do. Unfortunately, I don't see much of that happening over in the United States Senate.

This bill, H.R. 6324, happens to be a good, bipartisan piece of legislation that reduces spending, something called for in Simpson-Bowles. It is a responsible thing to do. It sets the goal in the framework the agencies would need to comply with. It would save hundreds of millions of dollars, and yet we hear that, well, it's not a time to do this because we need to think about it more.

We're paying more than $600 million a day in interest on our national debt. If you spent a million dollars a day every day, it would take you almost 3,000 years to get to 1 trillion. Since this President took office when we had $10 trillion in debt, we're now at $16 trillion in debt, and all they're concerned about is, well, you know, we've got to talk.

We don't have time. We've got to act now. We've got to pass bills like this. It's irresponsible not to. We need to continue to call upon the Senate to actually do their job and engage in the people's work. The country will be better off.

I encourage my colleagues to join in support of Representative HANNA's bill. It's a good, commonsense, bipartisan piece of legislation with broad support. It's H.R. 6324, and I urge my colleagues to vote ''yea.''

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 6324.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BUFFETT RULE ACT OF 2012

Mr. CAMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6410) to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6410

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Buffett Rule Act of 2012''.

SEC. 2. DONATION TO PAY DOWN NATIONAL DEBT.

(a) IN GENERAL.—Subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART IX—DONATIONS TO PAY DOWN NATIONAL DEBT

''Sec. 6097. Donation to pay down national debt.

''SEC. 6097. DONATION TO PAY DOWN NATIONAL DEBT.

''(a) GENERAL RULE.—Every taxpayer who makes a return of the tax imposed by subtitle A for any taxable year may donate an amount (not less than $1), in addition to any payment of tax for such taxable year, which shall be deposited in the general fund of the Treasury.

''(b) MANNER AND TIME OF DESIGNATION.—Any donation under subsection (a) for any taxable year—

''(1) shall be made at the time of filing the return of the tax imposed by subtitle A for such taxable year and in such manner as the Secretary may by regulation prescribe, except that—

''(A) the designation for such donation shall be either on the first page of the return or on the page bearing the taxpayer's signature, and

''(B) the designation shall be by a box added to the return, and the text beside the box shall provide:

''By checking here, I signify that in addition to my tax liability (if any), I would like to donate the included payment to be used exclusively for the purpose of paying down the national debt.'', and

''(2) shall be accompanied by a payment of the amount so designated.

''(c) TREATMENT OF AMOUNTS DONATED.—For purposes of this title, the amount donated by any taxpayer under subsection (a) shall be treated as a contribution made by such taxpayer to the United States on the last date prescribed for filing the return of tax imposed by subtitle A (determined without regard to extensions) or, if later, the date the return is filed.

''(d) TRANSFERS TO ACCOUNT TO REDUCE PUBLIC DEBT.—The Secretary shall, from time to time, transfer to the special account established by section 3113(d) of title 31, United States Code, amounts equal to the amounts donated under this section.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of such chapter is amended by adding at the end the following new item:

''PART IX. DONATIONS TO PAY DOWN NATIONAL DEBT.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns for taxable years ending after December 31, 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 6410, a bill to provide a simple way for individuals to voluntarily donate funds to pay down the national debt. Under current law, you can contribute to debt reduction, but like all things with the IRS, it isn't easy. If you dig deep into the 189 pages of instructions that accompany the 1040, you'll find, on page 88, the following:

Do not add your gift to reduce debt held by the public to any tax you may owe.

To contribute to deficit reduction, one must send a separate check or money order to the Bureau of Public Debt, or they can go online at the Web site and use a credit card. Warren Buffett, who says he wants to pay more in taxes to pay down our debt, can't actually do so when filing his taxes.

H.R. 6410, however, gives Mr. Buffett and generous Americans like him a simple, easy way to help pay down our debt. This legislation adds to appropriate tax forms a box with the captions, and I am quoting:

By checking here, I signify that in addition to my tax liability (if any), I would like to donate the included payment to be used exclusively for the purpose of paying down the national debt.

The Joint Committee on Taxation estimates that H.R. 6410 reduces the public debt by $135 million over 10 years. It makes it easy for those who want to donate money to the Treasury for debt reduction to voluntarily do so without raising taxes on entrepreneurs and job creators. If Warren Buffett wants to give, then H.R. 6410 allows him to give to his heart's content, and the payments will go directly to an account at the Treasury dedicated exclusively to debt reduction.

Mr. Speaker, it's not enough to speak in political platitudes about what we can do to reduce our debt. Now you can put your money where your mouth is. I urge my colleagues on both sides of the aisle to join me in passing this legislation.

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

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

Well, there's nothing wrong with this bill except the label. If there were a fine, I would say, for House legislative mislabeling, House Republicans would have a very large fine to pay. This bill has nothing—zero—to do with the Buffett rule. It has everything to do with the absolute refusal of Americans to face the basic issue. The present tax laws give an inordinate tax break to the very wealthy. The Buffett rule is provided and proposed by President Obama and congressional Democrats.

In addition to reducing the deficit by $46 billion, it would address a significant inequity in the Code that allows a quarter of taxpayers earning more than a million a year to pay a lower tax rate than millions of middle class families. One of those taxpayers is the Republican Presidential nominee, Governor Mitt Romney, who paid an effective tax rate lower than 15 percent in 2010 and refuses to let the American public see his tax returns for any earlier years.

Indeed, the so-called tax reform legislation from Republicans would do just the opposite: provide massive tax cuts for the very wealthy, doubling down on the Bush tax cuts that have added billions to the deficit and contributed to growing income inequality.

What's more, their idea of tax reform is to heap new taxes on the backs of middle- and lower-income families to pay for all of this. A recent report found that the so-called tax reform outlined in the Ryan budget would give those making over a million dollars a year an additional average tax cut of $331,000, while those making less than $200,000 would see a tax increase of $4,500.

Taxpayers can do exactly what is provided in this bill if they want to donate some of their taxes on the income they have to deficit reduction.

Republicans, who will recess in 2 days for 2 months with an incredible amount of unfinished business, not the least of which is the extension of the middle class tax cuts and the looming fiscal cliff, we need hard work, not chicanery.

I reserve the balance of my time.

Mr. CAMP. I yield such time as he may consume to the distinguished gentleman from Louisiana (Mr. SCALISE).

□ 1630

Mr. SCALISE. I thank the gentleman from Michigan for yielding and for bringing this legislation to the floor.

The Buffett Rule Act that we're debating now will set up a process where citizens all across the country, rich, poor, whatever their income level, if they feel that they haven't paid enough money into the Federal Treasury, then they can just check off a box and submit the amount of money that they want to pay in addition to what the normal tax liability is, and the assurance will be that that money will be used specifically to pay down the national debt, which, of course, just a few weeks ago, broke the $16 trillion mark under President Obama.

I think if you look at the Buffett Rule Act that we bring forward and contrast that with President Obama's proposed Buffett rule that he's talked about, what the President's talked about is actually raising taxes on the very small business owners that we need in our country to help create jobs to help get our economy going back again. In fact, even President Obama himself acknowledged that if you raise taxes on anybody in a bad economy, it will make the economy even worse.

And make no mistake about it, we are living right now in a bad economy, in many cases because of the President's policies, because of the so many tax increases that this President has already imposed. Just in ObamaCare alone, President Obama has imposed more than 20 new taxes on middle class families. Many of them haven't kicked in and they don't kick in until after the election, conveniently, but those taxes are on the books, and it's going to make it even harder for American families who are struggling to get by in a tough economy.

And so what's the President's latest answer in his version of the Buffett rule? It's to raise another $30-plus billion on the backs of our small business owners. By his own admission, that would make the economy even worse. And I think most people recognize the President would just use that money to go and spend even more money on a government that's already too big.

So the question is: Do we set up a process under President Obama's approach where he would raise taxes on small business earners, further hurting the economy, just so that he can have more money to spend in Washington, where there's already too much wasteful spending, or do we have a process like we establish here in this bill, the Buffett Rule Act, which says that if somebody truly does not feel they're paying enough in taxes, then they can simply check a box and there will be a format that they can lay out however much they want to spend more and that money will be used not to grow the size of the Federal Government but to reduce the national debt?

Again, it's a very clear contrast in approaches. If you look at the record that we've seen so far, the tax-and-spend approach under President Obama, it hasn't worked. We've had more than 8 percent employment literally since the President took office. And it's only gotten worse, to the point where millions of Americans have just given up looking for work. And the President's answer is to keep raising more taxes and spending more money and borrowing it from China because we don't have it.

We need a better approach. We need to address the mushrooming deficit that broke the $16 trillion mark. And if people like Warren Buffett and others like him feel they're not sending enough to Washington, let them put their money where their mouth is. Give them that action by giving them this check box, but knowing that if they do send in more money, it's not going to be used to keep growing a bloated Federal Government and spending money we don't have. It's going to be used to finally start paying down this national debt that's out of control and that's a burden to the opportunities of today's workers and the unemployed who are looking for jobs, but also to future generations—to our children and grandchildren who the big spenders in Washington are borrowing that money from and sending the bill to our children. They've got to stop doing it.

We've got to stop the way things are going now and get the economy back on track. And you don't do it by raising taxes. Again, President Obama even acknowledged that, even though his proposal is to raise taxes on our small business owners. You do it instead this way, by saying if you really feel like you want to send in more money to Washington, use it to pay down the national debt so we can finally get control over spending here.

AMERICANS FOR TAX REFORM,
Washington, DC, October 5, 2011.

Hon. STEVE SCALISE,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SCALISE: On behalf of Americans for Tax Reform, I am pleased to support your new legislation, the "Buffett Rule Act of 2011." This bill would instruct the IRS to provide a prominent, convenient checkbox line on 1040 forms to allow those so inclined to pay extra income tax.

Famously, Warren Buffett complained that his average effective tax rate was too low compared to his secretary. This is probably not true given the fact that Mr. Buffett has failed to release his own tax return for verification, and considering the average effective tax rate of his secretary is quite low based on her purported income. Nonetheless, Mr. Buffett should be able to voluntarily pay extra income taxes if he feels the need to—without imposing broad, job-killing tax hikes on our nation's small employers.

These "tax me more" lines have been particularly-effective in flushing out the serious from the posturing on the state level. States that have a "tax me more" line repeatedly report almost no additional voluntary contributions to state tax coffers. This is despite the fact that there is no shortage of people who have already earned (or inherited) their wealth who want to see taxes raised on those still pursuing the American dream. In short, the limousine liberal set doesn't put their money where their mouth is.

Taxpayers are calling Mr. Buffett's bluff with this legislation. It's his move.

Sincerely,

GROVER NORQUIST.

Mr. LEVIN. It is now my pleasure to yield 3 minutes to the ranking member on the Budget Committee, the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague, Mr. LEVIN.

I was just listening to the previous speaker. The issue is not whether we reduce our long-term deficits. We've got to do that. The question is: How? And every bipartisan group that has looked at this issue has said in order to do this in a smart and credible way, we have to make some additional tough cuts in reforms. But we also need to raise additional revenue. And if we don't raise any more revenue, it means that everybody else is going to get hit even harder. Seniors on Medicare will have to pay more through the voucher plan than our Republican colleagues have proposed. Kids' education grants and loans will be cut. Our investment in infrastructure will be cut.

So what we've said is, Let's take that balanced approach to reducing the deficit and that folks who have done very well should contribute a little bit more toward helping our Nation in that way. Our Republican colleagues have said, No, no, no, no, we're not going to ask people like Warren Buffett or Mitt Romney or very wealthy people to pay one more penny—not one—toward reducing our deficit.

And, Mr. Speaker, I've got to say it's astounding that our Republican colleagues would bring this bill to the floor of this House any day, but especially today. There is apparently no embarrassment factor about the fact that just yesterday this tape surfaced with Mitt Romney talking about the fact that 47 million Americans are not paying enough Federal taxes, that they're somehow not taking personal responsibility. You might as well name this piece of legislation: Give Mitt Romney Another Big Tax Break. Because as the gentleman from Michigan pointed out, the real Buffett rule says to people like Warren Buffett and people like Mitt Romney and to people who have done very well: We need you to contribute a little bit more toward deficit reduction, just like you were doing when President Clinton was President. Just go back to paying the same rate as when President Clinton was President.

And, by the way, President Obama has called upon this Congress to immediately extend tax relief to 98 percent of the American people and 97 percent of all businesses that do business pass-throughs. What our Republican colleagues want to do is to say to Bain Capital and some of the Fortune 100 companies: You don't have to pay any more to reduce our deficit. And they use the language of small business as a cover for that.

Now let's look at who was among those 47 percent of Americans that Governor Romney was talking about yesterday. Seniors who paid into Medicare, who paid into Social Security, who don't have any Federal income tax liability. They're being under-taxed, apparently, or they're not taking personal responsibility. How about our soldiers? We decided that soldiers should not be taxed on their combat pay.

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

Mr. LEVIN. I yield the gentleman an additional 2 minutes.

Mr. VAN HOLLEN. I thank the gentleman.

Soldiers who are fighting in Afghanistan, we decided that they shouldn't have to pay taxes on their combat pay. Apparently, Mitt Romney wants them to have to pay taxes on that money where they're not taking personal responsibility. Millions of other Americans are working hard every day to make ends meet. They may be making $25,000, have two kids. And you're right, we have standard deductions and we have personal exemptions so that people making $25,000 a year don't get hit really hard with income tax. And yet those individuals are paying an effective tax rate more than Mitt Romney.

As the gentleman from Michigan pointed out, if you combine the different parts of the payroll tax, they're at 15 percent. Mitt Romney is at 13 percent. And you know what the Buffett rule would do, the real one? The real one would say for people like Warren Buffet and Mitt Romney, they should at least pay 30 percent over $2 million. There's a phase-in between $1 million and $2 million. That's what the real Buffett rule does.

And what adds insult to injury is that while Mitt Romney and Republicans are proposing a tax plan that would give a break for folks at the very top, the nonpartisan, independent Tax Policy Center says they want to pay for that by increasing taxes on middle-income Americans to the effect of about $2,000 a year more for an average middle class family. Those are people on top of the 47 percent who are just paying payroll taxes.

So here we have a proposal by our Republican colleagues to provide big tax breaks to folks at the very top, and they want to come and make a mockery of the real Buffett rule. The real Buffett rule would actually generate $47 billion. Is that going to solve our deficit problem? Of course not. Will it contribute to helping it? Yes.

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

Mr. LEVIN. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. That would actually raise some money to help reduce the deficit and ask for some shared responsibility.

This bill is the ''pretty please'' bill. Pretty please, Warren Buffet, pretty please, Mitt Romney, won't you help contribute a little bit more toward reducing our deficit?

□ 1640

I can understand why people like Mitt Romney would love this bill because it asks nothing more of them at a time when we should be taking a balanced approach to reducing our deficit.

Just last week, we had a debate here about sequester. Everybody agreed, Republicans and Democrats, it would be really bad to have these across-the-board cuts take place. Buzz saw cuts. Our Republican colleagues and we both talked about the negative impact on defense, also on the FBI, on border security.

You know what? We had a proposal to pay for part of that to prevent the sequester with the Buffett rule and some other cuts. Our Republican colleagues talked about the terrible consequences of the cuts, but they just don't want to pay for them. They don't want to ask very wealthy Americans to contribute one more penny.

Mr. CAMP. Mr. Speaker, I advise my colleague that I am prepared to close.

Mr. LEVIN. I yield myself the remaining time.

You know, as I've heard this debate, I've been thinking. This is really mislabeled. Why don't we call it the Mitt Romney Rule Act of 2012? He paid the return he indicated less than 15 percent. He earned many, many, many millions. He knew what the code now says. He could have sent some of the money that was not taxed to the government. He could even use a credit card. But he hasn't done that.

This is mislabeled. This has nothing to do with Mr. Buffett.

There's been some reference here to small business. The very nonpartisan entities indicate that 97 percent of people who are in small business and beyond have income actually around $250,000 or less.

All this bill does is to indicate what's already in the code. So, there's nothing wrong with the bill. What is wrong is this frightful mislabeling to try to cover up a refusal of the Republican Party in this institution to face up to what is really necessary to be done.

I yield back the balance of my time.

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

I can understand why my friends on the other side are talking about everything but the bill before us. And that's because this administration's record on the deficit is so dismal. We're going on our fourth year of trillion-dollar deficits. The deficit under their watch is now $16 trillion.

You know, what we really need to do is grow this economy and create jobs, and we know that their tax increases that they love so much would cost us 700,000 jobs. Look at this: 43 months of unemployment of 8 percent. That's why they want to talk about everything but this.

They've said the question is how to reduce the deficit. The fact of the matter is this bill does reduce the deficit, according to the Joint Committee on Taxation, by $135 million. Now, they might not think that's much, but to most Americans, every million dollars counts.

So, I think it's important that we move forward on this, that we grow our economy, that we grow our economy to create jobs. And we know that taxes on small businesses that they propose cost us jobs.

So let's pass this bill. It's a step forward. It allows those Americans—we all hear it as we go around the country—people say, ''I'd like to give more. How do I do it?''

This makes it easier, it makes it straightforward, and actually is scored as reducing the deficit.

Let's vote to make a step for reducing the deficit. We have bigger issues we need to deal with. We're going to deal with those. That's why this committee, Ways and Means, has been focused on tax reform this year, more than 20 hearings. I hope we can move forward on fundamental tax reform. Let's vote for this bill. Let's give those Americans who want to be more generous, who want to check a box and contribute more specifically to deficit reduction, a very transparent, straightforward, and easy way to do that.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and pass the bill, H.R. 6410.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANDREW P. CARPENTER TAX ACT

Mr. SAM JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5044) to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5044

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Andrew P. Carpenter Tax Act''.

SEC. 2. DISCHARGE OF INDEBTEDNESS INCOME ON EDUCATION LOANS OF DECEASED VETERANS.

(a) IN GENERAL.—Subsection (f) of section 108 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) DECEASED VETERANS.—

''(A) IN GENERAL.—In the case of any student loan described in subparagraph (B) of an individual who is a veteran who served on active duty in the Armed Forces of the United States and who is deceased as a result of a service-connected disability, no amount which (but for this paragraph) would otherwise be includible in gross income by reason of the discharge (in whole or in part) of such loan shall be includible in gross income of any cosigner on such loan.

''(B) STUDENT LOAN DESCRIBED.—For purposes of subparagraph (A), a student loan described in this subparagraph is a loan that—

''(i) is made, insured, or guaranteed under title IV of the Higher Education Act of 1965, or

''(ii) is a private education loan (as defined in section 140(a)(7) of the Truth in Lending Act (15 U.S.C. 1650(a)(7))), made by an entity (other than an entity described in paragraph (2)) to an individual to assist the individual in attending an educational organization described in section 170(b)(1)(A)(ii).

''(C) SERVICE-CONNECTED DISABILITY.—For purposes of subparagraph (A), the term 'service-connected disability' has the meaning given such term by section 101(16) of title 38, United States Code.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to discharges of indebtedness occurring on or after October 7, 2001.

(c) WAIVER OF LIMITATION FOR CREDITS AND REFUNDS ATTRIBUTABLE TO THIS ACT.—If the credit or refund of any overpayment of tax resulting from the application of the amendment made by subsection (a) to a period before the date of enactment of this Act is prevented as of such date by the operation of any law or rule of law (including res judicata), such credit or refund may nevertheless be allowed or made if the claim therefor is filed before the close of the 1-year period beginning on the date of the enactment of this Act.

SEC. 3. ACCOUNTS IN THE THRIFT SAVINGS FUND SUBJECT TO CERTAIN FEDERAL TAX LEVIES.

(a) IN GENERAL.—Section 8437(e)(3) of title 5, United States Code, is amended in the first sentence—

(1) by striking ''659)'' and inserting ''659),''; and

(2) by striking the period at the end and inserting the following: '', and shall be subject to a Federal tax levy under section 6331 of the Internal Revenue Code of 1986.''.

(b) DISPOSITION OF AMOUNTS.—Any potential revenue gain attributable to the enactment of this Act, as determined by the Director of the Congressional Budget Office—

(1) shall be deposited in the general fund of the Treasury of the United States; and

(2) shall be used solely for purposes of deficit reduction.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5044, the Andrew Carpenter Tax Act, was introduced by the gentleman from Tennessee (Mr. DESJARLAIS) in honor of Lance Corporal Andrew Carpenter, who made the ultimate sacrifice in defense of this Nation's freedom while serving in Afghanistan, and I'm a proud cosponsor of the bill. Mr. Speaker, I would like to thank the gentleman from Tennessee for his leadership in addressing a tax problem facing families of deceased servicemembers who have had their student loans forgiven.

Right now our Tax Code considers forgiven student loans cosigned by the servicemember's family as taxable income. This is just wrong for our Nation's military families, and that's what the gentleman from Tennessee's bill is all about. It would change the Tax Code so that the IRS will no longer be able to hit families of deceased servicemen and -women with a tax bill on the forgiven debt.

You see, Mr. Speaker, the life of a military family is not easy, but it is admirable. We must never forget that when one member of the family serves, all of the family serves. In a small but important way, this bill is really about protecting our Armed Forces and their families, just as they protect our freedom every day. They need to know their country is behind them.

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

Mr. LEVIN. I yield myself such time as I may consume.

Mr. Speaker, this bill does address an issue that needs consideration. Lieutenant Carpenter died serving his Nation. He possessed outstanding student loans. The lender waived repayment by his parents, who were obligated on the loans. Present policy would require his parents to pay taxes on the value of that repayment. The Congress must act to ensure that families of brave men and women do not face undue hardship in the face of tragedy.

Unfortunately, this bill has not been the subject of a single hearing or markup in the committee of jurisdiction, Ways and Means. As a result, this bill has no legislative history to which agencies or taxpayers can turn to answer any questions that should arise.

□ 1620

While technical changes were made in this bill from the bill's introduction to its consideration on the House floor today, the text still leaves many questions unanswered, including deficiencies with respect to definition of terms in the bill and as to scope.

The tax treatment of debt forgiveness is a broad and important issue. And while this bill will cover the tax treatment of one class of debt for one class of taxpayers, I think many in this body might believe that other classes of taxpayers should be able to receive such tax treatment. So, therefore, in the absence of regular order on this bill but recognizing the need to address the impact of our tax laws on those who have served our Nation and their families, I believe we should pass this legislation over to the Senate, with the expectation that it will address outstanding technical and coverage issues.

With that, I reserve the balance of my time and ask unanimous consent that the balance of my time on this bill now be handled by the gentleman from Washington (Mr. MCDERMOTT), a member of our committee.

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

There was no objection.

Mr. SAM JOHNSON of Texas. I now yield such time as he may consume to the gentleman from Tennessee (Mr. DESJARLAIS), the sponsor of this legislation.

Mr. DESJARLAIS. Mr. Speaker, before I begin my remarks, I want to take a few moments to thank Majority Whip KEVIN MCCARTHY, Majority Leader ERIC CANTOR, and Ways and Means Chairman DAVID CAMP for their help in bringing this worthwhile piece of legislation to the House floor. In addition, I want to say a special thanks to Congressman SAM JOHNSON for his work and guidance through the process.

I also want to recognize and thank the family of Lance Corporal Andrew P. Carpenter for bringing this matter to my attention. I am truly humbled to have had the honor of introducing the Andrew P. Carpenter Tax Act.

We are all familiar with the verse in John that says: ''Greater love hath no man than this, that a man lay down his life for his friends.'' On February 19, 2011, due to wounds suffered while on a combat mission in the Helmand province of Afghanistan, Lance Corporal Andrew Carpenter did indeed lay down his life for his friends and country.

A graduate of Columbia Central High School in 2002, Andrew enlisted in the United States Marine Corps in 2007 and was assigned to the 3rd Battalion, 8th Marine Regiment, 2nd Marine Division, 2nd Marine Expeditionary Force out of Camp Lejeune, North Carolina. He was serving his second tour in Afghanistan.

Leaving behind a wife, Crissie, and soon to be born son, Landon, Andrew gave his life in defense of our Nation and the cause of freedom. In a fitting tribute to his and his family's sacrifice, the city of Columbia, Tennessee, held a memorial service that sent a clear message that his valor would not be forgotten. Unfortunately, the aftermath of this outpouring of support was soon tarnished by the grim hand of the Internal Revenue Service. As hard as it is to believe, Mr. Speaker, the pain and anguish of his parents and wife were compounded by a tax bill from the Internal Revenue Service for over $1,000 due to the fact that an educational loan from a private institution was forgiven. Imagine the dismay of having to bury a son, daughter, husband, or wife that had paid the ultimate sacrifice only to have the IRS say you haven't paid enough.

Three years prior, Andrew had taken out a private educational loan. After

learning that Andrew had been killed in action, the company administering the loan agreed to completely forgive the debt. However, the IRS did not. Upon forgiveness of the debt, the family, who had cosigned the loan, received a 1099C form informing them that the debt discharged would be factored into their gross taxable income for that year. Not knowing what the tax bill was for, the family paid the tax and then contacted my office and brought this matter to my attention. As a newly elected Congressman, this was a rude introduction to just how broken our Federal system was.

Mr. Speaker, the legislation before us today attempts to shield American families from ever having the IRS add to their loss by callously presenting them with a tax bill. Simply, my bill amends the Internal Revenue Code to exempt private student loan forgiveness from being categorized as gross taxable income for families of veterans who have lost their lives while serving in active duty in the United States Armed Forces. It is important to note that this bill would not make it mandatory for private lenders to forgive educational loans. Private loan companies would still have the option of whether or not to forgive a loan.

Having lost their son in Afghanistan, the Carpenter family is comforted by the knowledge that Andrew died a hero. His memory lives on in his son, Landon. It is for them and all those who may have or may face similar hardships that I urge that the House suspend the rules and pass H.R. 5044.

Mr. MCDERMOTT. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the subcommittee ranking member on the Ways and Means Committee for his leadership, and I thank my friend from Texas, Congressman JOHNSON, for managing, and the sponsor of this legislation as well.

Let me rise in support of what I think is a recognition, a recognition of the sacrifice that families make and those who remain behind after our soldiers fall in battle—a fall pursuant to a service-related injury—and to not have the added burden of having any forgiven debt be included as income to be assessed by the IRS.

I believe that this is a fair and important collaborative exercise, a reasonable response to taxation. I hope, as we come together around veterans and this removal of this burden, we can clearly see pathways to address the question of tax reform that responds to working Americans, that protects working Americans, for that is obviously what this family is. They sent a son off to war, or a daughter off to war—or a mother or father or uncle or aunt, cousins. America is about family. Therefore, now we have the legitimate response that they would not, through some procedural snafu, be burdened by having that forgiven debt be part of the remaining family's income, particularly those who may have cosigned. I know the fallen soldier would not want that to happen.

As I stand here, I cannot help make mention as well of the resolution that saluted the fallen in Libya, H. Res. 786. I just wanted to acknowledge the passion that all Americans have for Ambassador John Christopher Stevens, Foreign Service information management officer Sean Smith, and security officers Tyrone S. Woods and Glen A. Doherty.

As a member of the Homeland Security Committee, I have often said that terrorism is franchised. It does not have to be an army of millions or thousands, it does not have to be a battalion, it doesn't have to be anything but one wanting to do evil. Therefore, it is important to say to the families of these men in particular, and others that fell, and others that were injured, and the men and women that serve as our face—civilian face, if you will—in embassies and consulate offices around the world, particularly those who have served in the horrific backdrop of 9/11 in a region that is now overwhelmed with conflict—to say to their families that our priority will be to offer you sympathy and to mourn with you and to love you and to indicate that we will not allow divisiveness to fall on the issue of who did it.

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

Mr. MCDERMOTT. I yield the gentlelady an additional minute.

Ms. JACKSON LEE of Texas. What we will do is to raise the flag as Americans and evenhandedly and quickly investigate the source of this horrific incident to our family members. We will not let their memory be diminished by quarreling and squabbling about pointing the finger as much as it will be to investigate what actually happened.

I think it is time now, as we saw occurring just a few days ago with the welcoming home of their bodies, that America draws together to show that we are united around those who have fallen in battle and those who have served, to express our deepest respect, and of course our deepest honor for them.

□ 1700

I will go forth to work harder to ensure that we are protected with secure Council offices and embassies and enhanced security for those who are willing to put themselves on the front line. I think this is appropriate in conjunction with this present legislation, H.R. 5044, that helps our fallen veterans as well.

I thank my colleague for yielding the time.

Mr. SAM JOHNSON of Texas. I reserve the balance of my time.

Mr. MCDERMOTT. I assume, Mr. Speaker, that the majority is prepared to close, and I yield myself such time as I may consume.

Mr. Speaker, I don't think there's anybody on this floor who has any objection to what we've tried to do here for the Carpenters.

I think that the question really is: Why do we not have regular order in the House of Representatives? This bill was so hastily drafted that it, the original version, did not even cover Carpenters, had to be amended so that it covered them. Now, that comes because you don't have hearings. That comes because you don't have witnesses come in and tell people how this works.

We witnessed a rather sad event in Libya just the other day. I was a Foreign Service officer, and I felt very strongly the feeling of sadness and grief when Foreign Service officers died.

Suppose one of them had an outstanding student loan signed for by their parents while they went to Georgetown school of whatever?

The fact is that this bill—is that line of duty? No. So now we're taking one little narrow class and we're drawing one narrow little bill, when, in fact, there are a lot of people who, in the line of duty, get killed and debt forgiveness makes sense, as it does for the Carpenters and for the families who cosigned the loan.

When your son or daughter goes off to college and you sign a loan with them, you don't expect them to die. But you certainly aren't going to withhold your signature if that's the only way your son or daughter gets an opportunity to pay for college.

But this bill says that only one line of duty service-connected—and it doesn't define ''service-connected''—and it's only if you're in the military. There are a lot of other people who serve in this country, in public service—police officers, firemen, Foreign Service officers.

There are a lot of people who ought to have been considered when this bill was brought before us. It was not brought before the committee, just popped out here on the floor as a unanimous consent bill.

Now, this Congress has been the most do-nothing Congress in the history of the country—less hearings, less bills—but we have had 302 votes in this Congress to reduce regulations on the environment. We found time for every fifth vote in the last 2 years to have been to reduce regulations protecting the environment. We couldn't have hearings on something like this because we were busy doing things like that. We spent 33 times trying to repeal the Affordable Care Act. We simply have not dealt with the problems that face this country.

There's another issue that ought to be before the committee. It's as important, perhaps, as this issue, perhaps affects more people. That's the debt forgiveness that comes by the money that banks reduce the principal on loans.

Now, if you have a loan for $300,000 and you have to refinance it, and you go and it's assessed, your house is now only worth 200,000, you're out of luck.

Your house is under water. Now, the bank can reduce the principal down to 200,000. They can grant you $100,000 forgiveness. But you know what happens to you when that happens? That 100,000 appears on your doorstep as income in the next taxing cycle.

That provision is in—we have an exemption for that presently, but it's expiring in January, and we simply have not even brought that issue up. There are thousands of people out there with foreclosures on their homes who are being socked or will be socked by debt forgiveness by banks. Those are the kinds of other issues that should have been dealt with.

Everyone's going to vote for this bill. I suspect that unless the Republicans want a vote on it for PR purposes, it'll go without a sound. None of us are going to ask for a vote, because it's obvious that this is one of those places where you want to make sure that a family who gives their son or their daughter does not get socked with a debt on top of it.

I urge my colleagues to vote for this, but urge the leadership on the other side to think about having hearings and reestablishing the regular order in the House so that we can answer some of the questions that are about this bill and think about many of the other issues that we have not dealt with.

We're within 2 days of the end of this Congress, and we've got thousands of issues. Everybody knows that November and December are going to be terrible because we're going to be right back here trying then to deal, on the back of a galloping horse, with a huge number of issues that have not been dealt with by the shortest Congress, the least hearings, the least bills passed.

I yield back the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I appreciate our guys fighting for us.

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5044, as amended, currently under consideration.

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

There was no objection.

Mr. SAM JOHNSON of Texas. I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 5044, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

FEMA REAUTHORIZATION ACT OF 2012

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2903) to reauthorize the programs and activities of the Federal Emergency Management Agency, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2903

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''FEMA Reauthorization Act of 2012''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

TITLE I—REAUTHORIZATION OF FEMA AND MODERNIZATION OF INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

Sec. 101. Reauthorization of Federal Emergency Management Agency.
Sec. 102. Integrated Public Alert and Warning System Modernization.

TITLE II—STAFFORD ACT AND OTHER PROGRAMS

Sec. 201. Reauthorization of urban search and rescue response system.
Sec. 202. Reauthorization of emergency management assistance compact grants.
Sec. 203. Disposal of excess property to assist other disaster survivors.
Sec. 204. Storage, sale, transfer, and disposal of housing units.
Sec. 205. Other methods of disposal.
Sec. 206. Establishment of criteria relating to administration of hazard mitigation assistance by States.
Sec. 207. Review of regulations and policies.
Sec. 208. Appeals process.
Sec. 209. Implementation of cost estimating.
Sec. 210. Tribal requests for a major disaster or emergency declaration under the Stafford Act.
Sec. 211. Individual assistance factors.
Sec. 212. Public assistance pilot program.
Sec. 213. Public assistance debris removal procedures.
Sec. 214. Use of funds.
Sec. 215. Reduction of authorization for emergency management performance grants.
Sec. 216. Technical correction.
Sec. 217. National Dam Safety Program Act reauthorization.

TITLE I—REAUTHORIZATION OF FEMA AND MODERNIZATION OF INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

SEC. 101. REAUTHORIZATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY.

Section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) is amended to read as follows:

''SEC. 699. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title and the amendments made by this title for the salaries and expenses of the Agency—

''(1) for fiscal year 2012, $1,031,378,000, including amounts transferred from grant programs;

''(2) for fiscal year 2013, $1,031,378,000, including amounts transferred from grant programs; and

''(3) for fiscal year 2014, $1,031,378,000, including amounts transferred from grant programs.''.

SEC. 102. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.

(a) SHORT TITLE.—This section may be cited as the ''Integrated Public Alert and Warning System Modernization Act of 2012''.

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM MODERNIZATION.—

(1) IN GENERAL.—To provide timely and effective disaster warnings under this section, the President, acting through the Administrator of the Federal Emergency Management Agency, shall—

(A) modernize the integrated public alert and warning system of the United States (in this section referred to as the ''public alert and warning system'') to ensure that the President under all conditions is able to alert and warn governmental authorities and the civilian population in areas endangered by disasters; and

(B) implement the public alert and warning system.

(2) IMPLEMENTATION REQUIREMENTS.—In carrying out paragraph (1), the Administrator shall, consistent with the recommendations in the final report of the Integrated Public Alert and Warning System Advisory Committee (established under subsection (c))—

(A) establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system;

(B) include in the public alert and warning system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(C) include in the public alert and warning system the capability to alert and warn, and provide the equivalent amount of information to individuals with disabilities and individuals with access and functional needs;

(D) ensure that training, tests, and exercises are conducted for the public alert and warning system and that the system is incorporated into other training and exercise programs of the Department of Homeland Security, as appropriate;

(E) establish and integrate into the National Incident Management System a comprehensive and periodic training program to instruct and educate Federal, State, Tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System;

(F) conduct, at least once every 3 years, periodic nationwide tests of the public alert and warning system; and

(G) ensure that the public alert and warning system is resilient, secure, and can withstand acts of terrorism and other external attacks.

(3) SYSTEM REQUIREMENTS.—The public alert and warning system shall—

(A) incorporate multiple communications technologies;

(B) be designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(C) to the extent technically feasible, be designed to provide alerts to the largest portion of the affected population, including nonresident visitors and tourists and individuals with disabilities and access and functional needs, and improve the ability of remote areas to receive alerts;

(D) promote local and regional public and private partnerships to enhance community preparedness and response;

(E) provide redundant alert mechanisms if practicable so as to reach the greatest number of people regardless of whether they have access to, or utilize, any specific medium of communication or any particular device; and

(F) include a mechanism to ensure the protection of individual privacy.

(4) IMPLEMENTATION PLAN.—Not later than 180 days after the date of submission of the report of the Integrated Public Alert and Warning System Advisory Committee, the Administrator shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a detailed plan to implement the public alert and warning system. The plan shall include a timeline for implementation, a spending plan, and recommendations for any additional authority that may be necessary to fully implement this subsection.

(5) MAXIMUM FUNDS.—The Administrator may use not more than $13,287,000 of the amount made available pursuant to section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) for each of fiscal years 2012, 2013, and 2014 to carry out the provisions of this section.

(c) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall establish an advisory committee to be known as the Integrated Public Alert and Warning System Advisory Committee (in this subsection referred to as the ''Advisory Committee'').

(2) MEMBERSHIP.—The Advisory Committee shall be composed of the following members (or their designees) to be appointed by the Administrator as soon as practicable after the date of enactment of this Act:

(A) The Chairman of the Federal Communications Commission.

(B) The Administrator of the National Oceanic and Atmospheric Administration of the Department of Commerce.

(C) The Assistant Secretary for Communications and Information of the Department of Commerce.

(D) Representatives of State and local governments, representatives of emergency management agencies, and representatives of emergency response providers, selected from among individuals nominated by national organizations representing governments and personnel.

(E) Representatives from federally recognized Indian tribes and national Indian organizations.

(F) Individuals who have the requisite technical knowledge and expertise to serve on the Advisory Committee, including representatives of—

(i) communications service providers;

(ii) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(iii) third-party service bureaus;

(iv) the broadcasting industry;

(v) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(vi) the cellular industry;

(vii) the cable industry;

(viii) the satellite industry; and

(ix) national organizations representing individuals with disabilities and access and functional needs and national organizations representing the elderly.

(G) Qualified representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(3) CHAIRPERSON.—The Administrator shall serve as the Chairperson of the Advisory Committee.

(4) MEETINGS.—

(A) INITIAL MEETING.—The initial meeting of the Advisory Committee shall take place not later than 120 days after the date of enactment of this Act.

(B) OTHER MEETINGS.—After the initial meeting, the Advisory Committee shall meet at the call of the Chairperson.

(C) NOTICE; OPEN MEETINGS.—Meetings held by the Advisory Committee shall be duly noticed at least 14 days in advance and shall be open to the public.

(5) RULES.—

(A) QUORUM.—One-third of the members of the Advisory Committee shall constitute a quorum for conducting business of the Advisory Committee.

(B) SUBCOMMITTEES.—To assist the Advisory Committee in carrying out its functions, the Chairperson may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts as the Chairperson considers necessary.

(C) ADDITIONAL RULES.—The Advisory Committee may adopt such other rules as are necessary to carry out its duties.

(6) CONSULTATION WITH NONMEMBERS.—The Advisory Committee and the program offices for the integrated public alert and warning system for the United States shall regularly meet with groups that are not represented on the Advisory Committee to consider new and developing technologies that may be beneficial to the public alert and warning system. Such groups may include—

(A) the Defense Advanced Research Projects Agency;

(B) entities engaged in federally funded research; and

(C) academic institutions engaged in relevant work and research.

(7) RECOMMENDATIONS.—The Advisory Committee shall develop recommendations for an integrated public alert and warning system, including—

(A) recommendations for common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system; and

(B) recommendations to provide for a public alert and warning system that—

(i) has the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences, as appropriate;

(ii) has the capability to alert and warn individuals with disabilities and individuals with limited English proficiency;

(iii) incorporates multiple communications technologies;

(iv) is designed to adapt to, and incorporate, future technologies for communicating directly with the public;

(v) is designed to provide alerts to the largest portion of the affected population feasible, including nonresident visitors and tourists, and improve the ability of remote areas to receive alerts;

(vi) promotes local and regional public and private partnerships to enhance community preparedness and response; and

(vii) provides redundant alert mechanisms if practicable in order to reach the greatest number of people regardless of whether they have access to, or utilize, any specific medium of communication or any particular device.

(8) INITIAL AND ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Advisory Committee shall submit to the Administrator, the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing the recommendations of the Advisory Committee.

(9) FEDERAL ADVISORY COMMITTEE ACT.—Neither the Federal Advisory Committee Act (5 U.S.C. App.) nor any rule, order, or regulation promulgated under that Act shall apply to the Advisory Committee.

(10) TERMINATION.—The Advisory Committee shall terminate not later than 3 years after the date of enactment of this Act.

(d) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of the Department of Commerce or the Federal Communications Commission.

TITLE II—STAFFORD ACT AND OTHER PROGRAMS

SEC. 201. REAUTHORIZATION OF URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

(a) IN GENERAL.—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

''SEC. 327. NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

''(2) AGENCY.—The term 'Agency' means the Federal Emergency Management Agency.

''(3) HAZARD.—The term 'hazard' has the meaning given that term by section 602.

''(4) NON-EMPLOYEE SYSTEM MEMBER.—The term 'non-employee System member' means a System member not employed by a sponsoring agency or participating agency.

''(5) PARTICIPATING AGENCY.—The term 'participating agency' means a State or local government, nonprofit organization, or private organization that has executed an agreement with a sponsoring agency to participate in the System.

''(6) SPONSORING AGENCY.—The term 'sponsoring agency' means a State or local government that is the sponsor of a task force designated by the Administrator to participate in the System.

''(7) SYSTEM.—The term 'System' means the National Urban Search and Rescue Response System to be administered under this section.

''(8) SYSTEM MEMBER.—The term 'System member' means an individual who is not a full-time employee of the Federal Government and who serves on a task force or on a System management or other technical team.

''(9) TASK FORCE.—The term 'task force' means an urban search and rescue team designated by the Administrator to participate in the System.

''(b) GENERAL AUTHORITY.—Subject to the requirements of this section, the Administrator shall continue to administer the emergency response system known as the National Urban Search and Rescue Response System.

''(c) FUNCTIONS.—In administering the System, the Administrator shall provide for a national network of standardized search and rescue resources to assist States and local governments in responding to hazards.

''(d) TASK FORCES.—

''(1) DESIGNATION.—The Administrator shall designate task forces to participate in the System. The Administrator shall determine the criteria for such participation.

''(2) SPONSORING AGENCIES.—Each task force shall have a sponsoring agency. The Administrator shall enter into an agreement with the sponsoring agency with respect to the participation of each task force in the System.

''(3) COMPOSITION.—

''(A) PARTICIPATING AGENCIES.—A task force may include, at the discretion of the

sponsoring agency, 1 or more participating agencies. The sponsoring agency shall enter into an agreement with each participating agency of the task force with respect to the participation of the participating agency on the task force.

''(B) OTHER INDIVIDUALS.—A task force may also include, at the discretion of the sponsoring agency, other individuals not otherwise associated with the sponsoring agency or a participating agency of the task force. The sponsoring agency of a task force may enter into a separate agreement with each such individual with respect to the participation of the individual on the task force.

''(e) MANAGEMENT AND TECHNICAL TEAMS.—The Administrator shall maintain such management teams and other technical teams as the Administrator determines are necessary to administer the System.

''(f) APPOINTMENT OF SYSTEM MEMBERS INTO FEDERAL SERVICE.—

''(1) IN GENERAL.—The Administrator may appoint a System member into Federal service for a period of service to provide for the participation of the System member in exercises, preincident staging, major disaster and emergency response activities, and training events sponsored or sanctioned by the Administrator.

''(2) NONAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Administrator may make appointments under paragraph (1) without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

''(3) RELATIONSHIP TO OTHER AUTHORITIES.—The authority of the Administrator to make appointments under this subsection shall not affect any other authority of the Administrator under this Act.

''(4) LIMITATION.—A System member who is appointed into Federal service under paragraph (1) shall not be considered an employee of the United States for purposes other than those specifically set forth in this section.

''(g) COMPENSATION.—

''(1) PAY OF SYSTEM MEMBERS.—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force—

''(A) to reimburse each employer of a System member on the task force for compensation paid by the employer to the System member for any period during which the System member is appointed into Federal service under subsection (f)(1); and

''(B) to make payments directly to a nonemployee System member on the task force for any period during which the non-employee System member is appointed into Federal service under subsection (f)(1).

''(2) REIMBURSEMENT FOR EMPLOYEES FILLING POSITIONS OF SYSTEM MEMBERS.—

''(A) IN GENERAL.—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force to reimburse each employer of a System member on the task force for compensation paid by the employer to an employee filling a position normally filled by the System member for any period during which the System member is appointed into Federal service under subsection (f)(1).

''(B) LIMITATION.—Costs incurred by an employer shall be eligible for reimbursement under subparagraph (A) only to the extent that the costs are in excess of the costs that would have been incurred by the employer had the System member not been appointed into Federal service under subsection (f)(1).

''(3) METHOD OF PAYMENT.—A System member shall not be entitled to pay directly from the Agency for a period during which the System member is appointed into Federal service under subsection (f)(1).

''(h) PERSONAL INJURY, ILLNESS, DISABILITY, OR DEATH.—

''(1) IN GENERAL.—A System member who is appointed into Federal service under subsection (f)(1) and who suffers personal injury, illness, disability, or death as a result of a personal injury sustained while acting in the scope of such appointment shall, for the purposes of subchapter I of chapter 81 of title 5, United States Code, be treated as though the member were an employee (as defined by section 8101 of that title) who had sustained the injury in the performance of duty.

''(2) ELECTION OF BENEFITS.—

''(A) IN GENERAL.—If a System member (or, in the case of the death of the System member, the System member's dependent) is entitled—

''(i) under paragraph (1) to receive benefits under subchapter I of chapter 81 of title 5, United States Code, by reason of personal injury, illness, disability, or death, and

''(ii) to receive benefits from a State or local government by reason of the same personal injury, illness, disability, or death,

the System member or dependent shall elect to receive either the benefits referred to in clause (i) or (ii).

''(B) DEADLINE.—A System member or dependent shall make an election of benefits under subparagraph (A) not later than 1 year after the date of the personal injury, illness, disability, or death that is the reason for the benefits or until such later date as the Secretary of Labor may allow for reasonable cause shown.

''(C) EFFECT OF ELECTION.—An election of benefits made under this paragraph is irrevocable unless otherwise provided by law.

''(3) REIMBURSEMENT FOR STATE OR LOCAL BENEFITS.—Subject to such terms and conditions as the Administrator may impose by regulation, in the event that a System member or dependent elects benefits from a State or local government under paragraph (2)(A), the Administrator shall reimburse the State or local government for the value of those benefits.

''(i) LIABILITY.—A System member appointed into Federal service under subsection (f)(1), while acting within the scope of the appointment, is deemed an employee of the Government under section 1346(b) of title 28, United States Code, and chapter 171 of that title, relating to tort claims procedure.

''(j) EMPLOYMENT AND REEMPLOYMENT RIGHTS.—With respect to a System member who is not a regular full-time employee of a sponsoring agency or participating agency, the following terms and conditions apply:

''(1) Service as a System member is deemed 'service in the uniformed services' for purposes of chapter 43 of title 38, United States Code, relating to employment and reemployment rights of individuals who have performed service in the uniformed services (regardless of whether the individual receives compensation for such participation). All rights and obligations of such persons and procedures for assistance, enforcement, and investigation shall be as provided for in such chapter.

''(2) Preclusion of giving notice of service by necessity of appointment under this section is deemed preclusion by 'military necessity' for purposes of section 4312(b) of title 38, United States Code, pertaining to giving notice of absence from a position of employment. A determination of such necessity shall be made by the Administrator and shall not be subject to judicial review.

''(k) LICENSES AND PERMITS.—If a System member holds a valid license, certificate, or other permit issued by any State or other governmental jurisdiction evidencing the member's qualifications in any professional, mechanical, or other skill or type of assistance required by the System, the System member is deemed to be performing a Federal activity when rendering aid involving such skill or assistance during a period of appointment into Federal service under subsection (f)(1).

''(l) ADVISORY COMMITTEE.—

''(1) IN GENERAL.—The Administrator shall establish and maintain an advisory committee to provide expert recommendations to the Administrator in order to assist the Administrator in administering the System.

''(2) COMPOSITION.—The advisory committee shall be composed of members from geographically diverse areas, and shall include—

''(A) the chief officer or senior executive from at least 3 sponsoring agencies;

''(B) the senior emergency manager from at least 2 States that include sponsoring agencies; and

''(C) at least 1 representative recommended by the leaders of the task forces.

''(3) INAPPLICABILITY OF TERMINATION REQUIREMENT.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory committee under this subsection.

''(m) PREPAREDNESS COOPERATIVE AGREEMENTS.—

''(1) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Administrator shall enter into an annual preparedness cooperative agreement with each sponsoring agency. Amounts made available to a sponsoring agency under such a preparedness cooperative agreement shall be for the following purposes:

''(A) Training and exercises, including training and exercises with other Federal, State, and local government response entities.

''(B) Acquisition and maintenance of equipment, including interoperable communications and personal protective equipment.

''(C) Medical monitoring required for responder safety and health in anticipation of and following a major disaster, emergency, or other hazard, as determined by the Administrator.

''(2) AVAILABILITY OF APPROPRIATIONS.—Notwithstanding section 1552(b) of title 31, United States Code, amounts made available for cooperative agreements under this subsection that are not expended shall be deposited in an Agency account and shall remain available for such agreements without fiscal year limitation.

''(n) RESPONSE COOPERATIVE AGREEMENTS.—The Administrator shall enter into a response cooperative agreement with each sponsoring agency, as appropriate, under which the Administrator agrees to reimburse the sponsoring agency for costs incurred by the sponsoring agency in responding to a major disaster or emergency.

''(o) OBLIGATIONS.—The Administrator may incur all necessary obligations consistent with this section in order to ensure the effectiveness of the System.

''(p) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out the System and the provisions of this section $35,250,000 for each of fiscal years 2012, 2013, and 2014.

''(2) ADMINISTRATIVE EXPENSES.—The Administrator may use not to exceed 6 percent of the funds appropriated for a fiscal year pursuant to paragraph (1) for salaries, expenses, and other administrative costs incurred by the Administrator in carrying out this section.''.

(b) CONFORMING AMENDMENTS.—

(1) APPLICABILITY OF TITLE 5, UNITED STATES CODE.—Section 8101(1) of title 5, United States Code, is amended—

(A) in subparagraph (D) by striking ''and'' at the end;

(B) by moving subparagraph (F) to appear after subparagraph (E);

(C) in subparagraph (F)—

(i) by striking ''United States Code,''; and

(ii) by adding ''and'' at the end; and

(D) by inserting after subparagraph (F) the following:

''(G) an individual who is a System member of the National Urban Search and Rescue Response System during a period of appointment into Federal service pursuant to section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;''.

(2) INCLUSION AS PART OF UNIFORMED SERVICES FOR PURPOSES OF USERRA.—Section 4303 of title 38, United States Code, is amended—

(A) in paragraph (13) by inserting '', a period for which a System member of the National Urban Search and Rescue Response System is absent from a position of employment due to an appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act'' before '', and a period''; and

(B) in paragraph (16) by inserting after ''Public Health Service,'' the following: ''System members of the National Urban Search and Rescue Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act,''.

SEC. 202. REAUTHORIZATION OF EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.

(a) IN GENERAL.—Subtitle A of title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196 et seq.) is amended by adding at the end the following:

''SEC. 617. EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.

''(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may make grants to provide for implementation of the Emergency Management Assistance Compact consented to by Congress in the joint resolution entitled 'Joint resolution granting the consent of Congress to the Emergency Management Assistance Compact' (Public Law 104–321; 110 Stat. 3877).

''(b) ELIGIBLE GRANT RECIPIENTS.—States and the Administrator of the Emergency Management Assistance Compact shall be eligible to receive grants under subsection (a).

''(c) USE OF FUNDS.—A grant received under this section shall be used—

''(1) to carry out recommendations identified in the Emergency Management Assistance Compact after-action reports for the 2004 and 2005 hurricane seasons;

''(2) to administer compact operations on behalf of States, as such term is defined in the compact, that have enacted the compact;

''(3) to continue coordination with the Federal Emergency Management Agency and appropriate Federal agencies;

''(4) to continue coordination with States and local governments and their respective national organizations; and

''(5) to assist State and local governments, emergency response providers, and organizations representing such providers with credentialing the providers and the typing of emergency response resources.

''(d) COORDINATION.—The Administrator of the Federal Emergency Management Agency shall consult with the Administrator of the Emergency Management Assistance Compact to ensure effective coordination of efforts in responding to requests for assistance.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2012, 2013, and 2014. Such sums shall remain available until expended.''.

(b) REPEAL.—Section 661 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 761) is repealed.

SEC. 203. DISPOSAL OF EXCESS PROPERTY TO ASSIST OTHER DISASTER SURVIVORS.

Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended by this Act is further amended by adding at the end the following:

''SEC. 328. DISPOSAL OF EXCESS MATERIALS, SUPPLIES, AND EQUIPMENT.

''(a) IN GENERAL.—Notwithstanding any other provision of law, if the President determines that materials, supplies, or equipment acquired by the President pursuant to title IV or V for response or recovery efforts in connection with a major disaster or emergency are in excess of the amount needed for those efforts, the President may transfer the excess materials, supplies, or equipment directly to a State, local government, or relief or disaster assistance organization for the purpose of—

''(1) assisting disaster survivors in other major disasters and emergencies; and

''(2) assisting survivors in incidents caused by a hazard that do not result in a declaration of a major disaster or emergency if the Governor of the affected State certifies that—

''(A) there is an urgent need for the materials, supplies, or equipment; and

''(B) the State is unable to provide the materials, supplies, or equipment in a timely manner.

''(b) HAZARD DEFINED.—In this section, the term 'hazard' has the meaning given that term by section 602.''.

SEC. 204. STORAGE, SALE, TRANSFER, AND DISPOSAL OF HOUSING UNITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of FEMA.

(2) EMERGENCY; MAJOR DISASTER.—The terms ''emergency'' and ''major disaster'' have the meanings given such terms in section 102 of the Stafford Act (42 U.S.C. 5122).

(3) FEMA.—The term ''FEMA'' means the Federal Emergency Management Agency.

(4) HAZARD.—The term ''hazard'' has the meaning given such term in section 602 of the Stafford Act (42 U.S.C. 5195a).

(5) STAFFORD ACT.—The term ''Stafford Act'' means the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(b) NEEDS ASSESSMENT; ESTABLISHMENT OF CRITERIA.—Not later than 90 days after the date of enactment of this Act, the Administrator shall complete an assessment to determine the number of temporary housing units that FEMA needs to maintain in stock to respond appropriately to emergencies or major disasters occurring after the date of enactment of this Act.

(c) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a plan and guidelines for—

(A) storing the number of temporary housing units that FEMA needs to maintain in stock, as determined by the Administrator under subsection (b); and

(B) selling, transferring, donating, or otherwise disposing of the temporary housing units in the inventory of FEMA that are in excess of the number of temporary housing units that FEMA needs to maintain in stock, as determined by the Administrator under subsection (b).

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the actions that the Administrator has taken to establish and implement the plan and guidelines established under paragraph (1).

(B) REQUIRED INFORMATION.—In each report submitted under subparagraph (A), the Administrator shall document the number of temporary housing units remaining in the inventory of FEMA and the number of units sold, transferred, donated, and otherwise disposed of pursuant to this section.

(3) UPDATE.—The Administrator shall update the plan established under paragraph (1) as necessary to ensure that the Administrator maintains in the inventory of FEMA only those temporary housing units that are needed to respond appropriately to emergencies or major disasters.

(d) TRANSFER OF TEMPORARY HOUSING UNITS TO STATES.—

(1) IN GENERAL.—Notwithstanding section 408(d)(2) of the Stafford Act (42 U.S.C. 5174(d)(2)), and subject to the requirements of paragraph (2), the Administrator may transfer or donate to States, on a priority basis, pursuant to subsection (c)(1)(B), excess temporary housing units in the inventory of FEMA.

(2) STATE REQUESTS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, a State may submit to the Administrator a request to receive excess temporary housing units under paragraph (1).

(B) ELIGIBILITY.—A State shall be eligible to receive excess temporary housing units under paragraph (1) if the State agrees—

(i) to use the units to provide temporary housing to survivors of incidents that are caused by hazards and that the Governor of the State determines require State assistance;

(ii) to pay to store and maintain the units;

(iii) in the event of a major disaster or emergency declared for the State by the President under the Stafford Act, to make the units available to the President or to use the units to provide housing directly to survivors of the major disaster or emergency in the State;

(iv) to comply with the nondiscrimination provisions of section 308 of the Stafford Act (42 U.S.C. 5151); and

(v) to obtain and maintain hazard and flood insurance on the units.

(C) INCIDENTS.—The incidents referred to in subparagraph (B)(i) may include incidents that do not result in a declaration of a major disaster or emergency by the President under the Stafford Act.

(3) DISTRIBUTION.—

(A) ESTABLISHMENT OF PROCESS.—The Administrator shall establish a process—

(i) to review requests submitted by States under paragraph (2); and

(ii) to distribute excess temporary housing units that are in the inventory of FEMA.

(B) ALLOCATION.—If the number of temporary housing units requested by States under paragraph (2) exceeds the number of excess temporary housing units available, the Administrator shall allocate the available units among the States that have submitted a request.

(4) REMAINING TEMPORARY HOUSING UNITS.—Temporary housing units that are not transferred or donated under paragraph (1) shall be sold, transferred, donated, or otherwise disposed of subject to the requirements of section 408(d)(2) of the Stafford Act (42 U.S.C. 5174(d)(2)) and other applicable provisions of law.

(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect section 689k of the Post-

Katrina Emergency Management Reform Act of 2006 (120 Stat. 1456). For purposes of that section, a transfer or donation to a State of a temporary housing unit under paragraph (1) shall be treated as a disposal to house individuals or households under section 408 of the Stafford Act (42 U.S.C. 5174).

SEC. 205. OTHER METHODS OF DISPOSAL.

Section 408(d)(2)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(d)(2)(B)) is amended—

(1) in clause (i) by striking ''or'';

(2) in clause (ii) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(iii) may be sold, transferred, or donated directly to a State or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in disasters and incidents caused by a hazard (as such term is defined in section 602) that do not result in a declaration of a major disaster or emergency if, as a condition of the sale, transfer, or donation, the State, other governmental agency, or voluntary organization agrees—

''(I) to comply with the nondiscrimination provisions of section 308; and

''(II) to obtain and maintain hazard and flood insurance for the housing units.''.

SEC. 206. ESTABLISHMENT OF CRITERIA RELATING TO ADMINISTRATION OF HAZARD MITIGATION ASSISTANCE BY STATES.

Not later than 180 days after the date of enactment of this Act, the President shall establish the criteria required under section 404(c)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(c)(2)).

SEC. 207. REVIEW OF REGULATIONS AND POLICIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall review regulations and policies relating to Federal disaster assistance to eliminate regulations the President determines are no longer relevant, to harmonize contradictory regulations, and to simplify and expedite disaster recovery and assistance.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the President shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report describing changes made to regulations as a result of the review required under subsection (a), together with any legislative recommendations relating thereto.

(c) STATE HAZARD MITIGATION PLANS.—The President, acting through the Administrator, shall revise regulations related to the submission of State Hazard Mitigation Plans to extend the hazard mitigation planning cycle to every 5 years, consistent with local planning cycles.

SEC. 208. APPEALS PROCESS.

Section 423(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189a(b)) is amended to read as follows:

''(b) PERIOD FOR DECISION.—

''(1) IN GENERAL.—A decision regarding an appeal under subsection (a) shall be rendered within 60 days after the date on which the Federal official designated to administer such appeal receives notice of such appeal.

''(2) FAILURE TO SATISFY DEADLINE.—If the Federal official fails to satisfy the requirement under paragraph (1), the Federal official shall provide a written explanation of such failure to the applicant. The President, acting through the Administrator of the Federal Emergency Management Agency, shall transmit quarterly to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on such failures.''.

SEC. 209. IMPLEMENTATION OF COST ESTIMATING.

Not later than 180 days after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall issue and begin to implement the regulations required by section 406(e)(3)(C) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(3)(C)) to provide for cost estimation procedures that expedite recovery and to reduce the costs and time for completion of recovery projects through the creation of financial and performance incentives.

SEC. 210. TRIBAL REQUESTS FOR A MAJOR DISASTER OR EMERGENCY DECLARATION UNDER THE STAFFORD ACT.

(a) MAJOR DISASTER REQUESTS.—Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is amended—

(1) by striking ''All requests for a declaration'' and inserting ''(a) IN GENERAL.—All requests for a declaration''; and

(2) by adding at the end the following:

''(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

''(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that a major disaster exists consistent with the requirements of subsection (a).

''(2) REFERENCES.—In implementing assistance authorized by the President under this Act in response to a request of the Chief Executive of an affected Indian tribal government for a major disaster declaration, any reference in this title or section 319 to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

''(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.

''(c) COST SHARE ADJUSTMENTS FOR INDIAN TRIBAL GOVERNMENTS.—

''(1) IN GENERAL.—In providing assistance to an Indian tribal government under this title, the President may waive or adjust any payment of a non-Federal contribution with respect to the assistance if—

''(A) the President has the authority to waive or adjust the payment under another provision of this title; and

''(B) the President determines that the waiver or adjustment is necessary and appropriate.

''(2) CRITERIA FOR MAKING DETERMINATIONS.—The President shall establish criteria for making determinations under paragraph (1)(B).''.

(b) EMERGENCY REQUESTS.—Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191) is amended by adding at the end the following:

''(c) INDIAN TRIBAL GOVERNMENT REQUESTS.—

''(1) IN GENERAL.—The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that an emergency exists consistent with the requirements of subsection (a).

''(2) REFERENCES.—In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or section 319 to a State or the Governor of a State shall be deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

''(3) SAVINGS PROVISION.—Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.''.

(c) DEFINITIONS.—Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in paragraph (7)(B) by striking ''; and'' and inserting '', that is not an Indian tribal government as defined in paragraph (6); and'';

(2) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(3) by inserting after paragraph (5) the following:

''(6) INDIAN TRIBAL GOVERNMENT.—The term 'Indian tribal government' means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.).''; and

(4) by adding at the end the following:

''(12) CHIEF EXECUTIVE.—The term 'Chief Executive' means the person who is recognized by the Secretary of the Interior as the chief elected administrative officer of an Indian tribal government.''.

(d) REFERENCES.—Title I of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding after section 102 the following:

''SEC. 103. REFERENCES.

''Except as otherwise specifically provided, any reference in this Act to 'State and local', 'State or local', or 'State, local' with respect to governments or officials and any reference to a 'local government' in section 417 is deemed to refer also to Indian tribal governments and officials, as appropriate.''.

(e) REGULATIONS.—

(1) ISSUANCE.—The President shall issue regulations to carry out the amendments made by this section.

(2) FACTORS.—In issuing the regulations, the President shall consider the unique conditions that affect the general welfare of Indian tribal governments.

SEC. 211. INDIVIDUAL ASSISTANCE FACTORS.

In order to provide more objective criteria for evaluating the need for assistance to individuals and to speed a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in cooperation with representatives of State, tribal, and local emergency management agencies, shall review, update, and revise through rulemaking the factors considered under section 206.48 of title 44, Code of Federal Regulations (including section 206.48(b)(2) of such title relating to trauma and the specific conditions or losses that contribute to trauma), to measure the severity, magnitude, and impact of a disaster.

SEC. 212. PUBLIC ASSISTANCE PILOT PROGRAM.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The President, acting through the Administrator of the Federal Emergency Management Agency, and in coordination with States, tribal and local governments, and owners or operators of private non-profit facilities, shall establish and conduct a pilot program to—

(A) reduce the costs to the Government of providing assistance to States, tribal and local governments, and owners or operators of private non-profit facilities under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) (referred to in this section as the ''Act'');

(B) increase flexibility in the administration of section 406 of such Act; and

(C) expedite the provision of assistance to States, tribal, and local governments provided under section 406 of the Act.

(2) PARTICIPATION.—Only States, tribal and local governments, and owners or operators of private non-profit facilities that elect to participate in the pilot program may participate in the pilot program for their projects.

(3) ADMINISTRATION.—

(A) IN GENERAL.—For the purposes of the pilot program, the Administrator shall establish new procedures to administer assistance provided under section 406 of the Act.

(B) NEW PROCEDURES.—The new procedures established under subparagraph (A) shall include—

(i) making grants on the basis of estimates agreed to by the State, tribal, or local government, or owner or operator of a private non-profit facility and the Administrator to provide financial incentives and disincentives for the State, tribal, or local government, or owner or operator of a private non-profit facility for the timely and cost-effective completion of projects under section 406 of the Act;

(ii) notwithstanding sections 406(c)(1)(A) and 406(c)(2)(A) of the Act, providing an option for a State, tribal, or local government, or owner or operator of a private non-profit facility to elect to receive an in-lieu contribution, without reduction, on the basis of estimates of the cost of repair, restoration, reconstruction, or replacement of a public facility owned or controlled by the State, tribal, or local government and of management expenses;

(iii) consolidating, to the extent determined appropriate by the Administrator, the facilities of a State, tribal, or local government, or owner or operator of a private non-profit facility as a single project based upon the estimates established under the pilot procedures; and

(iv) notwithstanding any other provision of law, if the actual costs of a project completed under the pilot procedures are less than the estimated costs thereof, the Administrator may permit a grantee or sub grantee to use all or part of the excess funds for cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster.

(4) WAIVER.—The Administrator may waive such regulations or rules applicable to the provisions of assistance in section 406 of the Act as the Administrator determines are necessary to carry out the pilot program under this section.

(b) REPORT.—

(1) IN GENERAL.—Not later than October 31, 2015, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the effectiveness of the pilot program under this section.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) an assessment by the Administrator of any administrative or financial benefits of the pilot program;

(B) an assessment by the Administrator of the effect, including any savings in time and cost, of the pilot program;

(C) any other findings and conclusions of the Administrator with respect to the pilot program; and

(D) any recommendations of the Administrator for additional authority to continue or make permanent the pilot program.

(c) DEADLINE FOR INITIATION OF IMPLEMENTATION.—Not later than 90 days after the date of enactment of this Act, the Administrator shall begin implementation of the pilot program under this section.

(d) PILOT PROGRAM DURATION.—The Administrator may not approve a project under the pilot program under this section after December 31, 2014.

SEC. 213. PUBLIC ASSISTANCE DEBRIS REMOVAL PROCEDURES.

(a) IN GENERAL.—The President, acting through the Administrator of the Federal Emergency Management Agency, shall establish new procedures to administer assistance for debris and wreckage removal provided under sections 403(a)(3)(A), 407, and 502(a)(5) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)(A), 5173, and 5192(a)(5)).

(b) NEW PROCEDURES.—The new procedures established under subsection (a) may include—

(1) making grants on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost effective completion of projects under sections 403(a)(3)(A), 407, and 502(a)(5) of such Act if the State, tribal, or local government, or owner or operator of the private non-profit facility agrees to be responsible to pay for any actual costs that exceed the estimate;

(2) using a sliding scale for the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal;

(3) allowing utilization of program income from recycled debris without offset to grant amount;

(4) reimbursing base and overtime wages for employees and extra hires of a State, tribal, or local government, or owner or operator of a private non-profit facility performing or administering debris and wreckage removal; and

(5) notwithstanding any other provision of law, if the actual costs of projects under subsection (b)(1) are less than the estimated costs thereof, the Administrator may permit a grantee or sub grantee to use all or part of the excess funds for any of the following purposes:

(A) Debris management planning.

(B) Acquisition of debris management equipment for current or future use.

(C) Other activities to improve future debris removal operations, as determined by the Administrator.

SEC. 214. USE OF FUNDS.

Unless otherwise specified in this Act, the Administrator of the Federal Emergency Management Agency shall use amounts authorized pursuant to section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 811) for reviews, reports, and studies included in this Act.

SEC. 215. REDUCTION OF AUTHORIZATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANTS.

Section 662(f)(5) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 762) is amended by striking ''$950,000,000'' and inserting ''$946,600,000''.

SEC. 216. TECHNICAL CORRECTION.

Section 202(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5132(c)) is amended by striking ''section 611(c)'' and inserting ''section 611(d)''.

SEC. 217. NATIONAL DAM SAFETY PROGRAM ACT REAUTHORIZATION.

(a) SHORT TITLE.—This section may be cited as the ''Dam Safety Act of 2012''.

(b) PURPOSE.—The purpose of this section is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of Federal and non-Federal communities in achieving national dam safety hazard reduction.

(c) AMENDMENTS TO THE NATIONAL DAM SAFETY PROGRAM ACT.—

(1) ADMINISTRATOR.—

(A) IN GENERAL.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking ''Director'' each place it appears and inserting ''Administrator''.

(B) CONFORMING AMENDMENT.—Section 2(3) of such Act (33 U.S.C. 467(3)) is amended in the paragraph heading by striking ''DIRECTOR'' and inserting ''ADMINISTRATOR''.

(2) INSPECTION OF DAMS.—Section 3(b)(1) of such Act (33 U.S.C. 467a(b)(1)) is amended by striking ''or maintenance'' and inserting ''maintenance, condition, or provision for emergency operations''.

(3) NATIONAL DAM SAFETY PROGRAM.—

(A) OBJECTIVES.—Section 8(c)(4) of such Act (33 U.S.C. 467f(c)(4)) is amended to read as follows:

''(4) develop and implement a comprehensive dam safety hazard education and public awareness program to assist the public in mitigating against, preparing for, responding to, and recovering from dam incidents;''.

(B) BOARD.—Section 8(f)(4) of such Act (33 U.S.C. 467f(f)(4)) is amended by inserting '', representatives from nongovernmental organizations,'' after ''State agencies''.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) NATIONAL DAM SAFETY PROGRAM.—

(i) ANNUAL AMOUNTS.—Section 13(a)(1) of such Act (33 U.S.C. 467j(a)(1)) is amended by striking ''$6,500,000 for fiscal year 2007, $7,100,000 for fiscal year 2008, $7,600,000 for fiscal year 2009, $8,300,000 for fiscal year 2010, and $9,200,000 for fiscal year 2011'' and inserting ''$8,024,000 for each of fiscal years 2012 through 2015''.

(ii) MAXIMUM AMOUNT OF ALLOCATION.—

(I) IN GENERAL.—Section 13(a)(2)(B) of such Act (33 U.S.C. 467j(a)(2)(B)) is amended by striking ''50 percent of the reasonable cost of implementing the State dam safety program'' and inserting ''the amount of funds committed by the State to implement dam safety program activities''.

(II) APPLICABILITY.—The amendment made by subclause (I) shall apply to fiscal year 2013 and each fiscal year thereafter.

(B) NATIONAL DAM INVENTORY.—Section 13(b) of such Act (33 U.S.C. 467j(b)) is amended by striking ''$650,000 for fiscal year 2007, $700,000 for fiscal year 2008, $750,000 for fiscal year 2009, $800,000 for fiscal year 2010, and $850,000 for fiscal year 2011'' and inserting ''$383,000 for each of fiscal years 2012 through 2015''.

(C) RESEARCH.—Section 13(c) of such Act (33 U.S.C. 467j(c)) is amended by striking ''$1,600,000 for fiscal year 2007, $1,700,000 for fiscal year 2008, $1,800,000 for fiscal year 2009, $1,900,000 for fiscal year 2010, and $2,000,000 for fiscal year 2011'' and inserting ''$1,000,000 for each of fiscal years 2012 through 2015''.

(D) DAM SAFETY TRAINING.—Section 13(d) of such Act (33 U.S.C. 467j(d)) is amended by striking ''$550,000 for fiscal year 2007, $600,000 for fiscal year 2008, $650,000 for fiscal year 2009, $700,000 for fiscal year 2010, and $750,000 for fiscal year 2011'' and inserting ''$750,000 for each of fiscal years 2012 through 2015''.

(E) STAFF.—Section 13(e) of such Act (33 U.S.C. 467j(e)) is amended by striking ''$700,000 for fiscal year 2007, $800,000 for fiscal year 2008, $900,000 for fiscal year 2009, $1,000,000 for fiscal year 2010, and $1,100,000 for fiscal year 2011'' and inserting ''$436,000 for each of fiscal years 2012 through 2015''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2903, as amended.

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

There was no objection.

□ 1710

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

H.R. 2903, the FEMA Reauthorization Act, would reauthorize FEMA and make important reforms that will save money and speed up disaster recovery. It keeps FEMA funding at current levels and fully complies with House budget rules, and it includes bipartisan provisions passed by the House last Congress. This legislation is the product of key Members working together to produce real reforms.

First, let me thank Chairman JOHN MICA, the chairman of the Transportation and Infrastructure Committee, for his strong leadership and work on this legislation.

I also want to thank Ranking Member NORTON, of the subcommittee, for her help in drafting legislation that protects our first responders, incorporates real reforms, and strengthens our emergency management capability.

The legislation also incorporates a top priority of the ranking member's of the full committee, Mr. RAHALL's, which enables Indian tribes to request disaster declarations—provisions I support. I thank him for his work on these important provisions.

I also want to thank Chairman KING of the Committee on Homeland Security and to thank Chairman BILIRAKIS of the Subcommittee on Emergency Preparedness, Response, and Communications for their leadership and working with us on the integrated public alert and warning system provisions of the bill. I look forward to working with the Committee on Homeland Security on other important issues.

Finally, I want to thank the gentlemen from New York and Missouri, Mr. HANNA and Mr. CARNAHAN, for their work and leadership on reauthorizing the National Dam Safety Program included in this bill.

I am also pleased that this legislation has wide support from key stakeholders representing first responders, State and local officials, tribal communities, and the private sector.

We have received letters endorsing provisions in this bill from the National Emergency Management Association, the International Association of Emergency Managers, the National Alliance of State Broadcasting Associations, the National Association of Broadcasters, the National Association of Counties, the Association of State Dam Safety Officials, the Disaster Recovery Contractors Association, the National Task Force Representative for the 28 sponsoring agencies of Urban Search and Rescue Task Forces, and tribal communities around the Nation.

The Transportation and Infrastructure Committee has a long tradition of approaching FEMA and emergency management issues in a bipartisan manner. Disasters don't follow political boundaries, and ensuring we are prepared is critical to our Nation. From major hurricanes to floods, earthquakes, tornadoes, wildfires, nuclear accidents, and terrorist attacks, the costs of disasters can be significant, not just in terms of economic costs, but in the devastation to lives, homes, and communities. A good response to a disaster is critical to saving lives and minimizing damage, but recovering from such devastation is the key to rebuilding local economies and in helping people put their lives back together.

After Hurricane Katrina, Congress authorized FEMA for the first time and fundamentally reformed the Nation's disaster response system. Congress rebuilt FEMA and strengthened disaster response capabilities. We created a National Preparedness System so that States and the Federal Government will have the plans and resources in place before disaster strikes. But, as the reconstruction from Hurricane Katrina dragged on and on, it became apparent Congress needed to streamline the disaster recovery programs so communities can rebuild faster and for less money. The longer it takes to rebuild basic infrastructure after a disaster, the longer it takes for a local economy and tax base to recover and the more it costs Federal taxpayers.

The FEMA Reauthorization Act includes key reforms to save money by cutting through costly and bureaucratic red tape and speeding up reconstruction. For example, at one of our subcommittee hearings last year, the inspector general's office testified that, if FEMA just implemented the cost estimating provisions of the Disaster Mitigation Act, recovery could be sped up significantly and costs minimized.

H.R. 2903 sets deadlines for FEMA to finally implement these commonsense provisions, and it makes other changes that will save taxpayers money. This bill also would make other important reforms, including setting a clear framework for the development of the Integrated Public Alert and Warning System, the IPAWS system, to ensure money is not wasted.

At the committee's request, the GAO issued a report in 2009 detailing the key problems with FEMA's development of IPAWS. We also heard from many stakeholders, including the elderly, people with disabilities, as well as from industries like the commercial broadcasters and wireless industry, that FEMA was not giving them a seat at the table as FEMA modernized the system.

H.R. 2903 sets a clear framework and deadlines to ensure key stakeholders are a part of FEMA's modernization of the system. This will be critical in ensuring there are effective alerts and warnings to the public. In addition to these commonsense reforms, this reauthorizes FEMA's overall management budget, the Urban Search and Rescue System, and the Emergency Management Assistance Compact.

This legislation will save lives, save money, and help communities that have been devastated by disasters to recover and rebuild faster. I urge my colleagues to support H.R. 2903, as amended.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 17, 2012.

Hon. JOHN L. MICA,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 2903, the FEMA Reauthorization Act of 2011, which was ordered to be reported by voice vote as amended by the Committee on Transportation and Infrastructure on March 8, 2012 and sequentially referred to the Committee on Homeland Security on September 17, 2012.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 2903 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. In addition, I would like to thank you for working with me on modifying H.R. 2903 to include provisions that were within Chairman Bilirakis' bill, H.R. 3563, the Integrated Public Alert and Warning System Modernization Act of 2011. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this letter and your response be included during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 18, 2012.

Hon. PETER T. KING
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding the H.R. 2903, the FEMA Reauthorization Act of 2011. I appreciate your willingness to support expediting floor consideration of this legislation.

I understand and agree that your willingness to forgo further consideration of the bill is without prejudice to your Committee's jurisdictional interest in this or similar legislation. In the event a House-Senate conference is convened on H.R. 2903 or similar legislation, I would support your request to be represented on those provisions over which the Committee on Homeland Security has jurisdiction.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 2903 in the Congressional Record during House floor consideration of the bill.

Sincerely,

JOHN L. MICA,
Chairman.

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

I want to thank the chairman for the bipartisan measures this bill contains, measures like the Integrated Public Alert and Warning System and a number of others.

I rise in support of H.R. 2903. This bipartisan measure reauthorizes the Federal Emergency Management Agency, FEMA; authorizes an Integrated Public Alert and Warning System; and includes many provisions that were incorporated into similar legislation in past Congresses. I am pleased to see them, once again, come to the floor. Perhaps we can get them through the House and the Senate at some point in the near future, because these are not controversial matters.

Despite our broad support for this measure, we are disappointed in the authorized levels of funding for FEMA and the disaster assistance programs. Instead of evaluating the needs of the agency and its programs and then establishing the maximum amounts that would be appropriate, the Transportation and Infrastructure Committee, through this bill, is essentially deferring to the Appropriations Committee to tell the authorizers how to do their jobs by only authorizing amounts equal to the last appropriated amounts.

Let me be clear, however. If we authorized the maximum that could be needed, the budget deficit would not be increased. The amount authorized merely specifies need while only the actual amounts appropriated can affect the amounts spent. It is the authorizers who are to speak to need. It is for the Members who, in fact, decide how to divide the funds, the appropriators, once the need is assessed, to decide how much the country can afford to spend. They need our expert guidance. They don't have it in this bill.

I would also like to call attention to a few important changes included in this legislation:

For example, H.R. 2903 improves many of FEMA's programs and activities, including codifying the debris removal program. The current debris removal program is based on a pilot program from several years ago. We have heard firsthand from local governments and emergency management professionals about the need to make this successful program—a program that we have already piloted—permanent to help local communities expedite recovery from disasters.

In addition, this bill addresses a long expressed concern of mine about the need to expedite FEMA's appeals process. Without firm timelines, the current appeals process has led to long and unnecessary delays in disaster closeouts. This, in turn, has prevented disaster funds obligated for a specific disaster from being deobligated and returned to the Disaster Relief Fund. Last fall, as the Disaster Relief Fund was on the brink of running out of funds, FEMA was actually able to close out several disaster accounts and find the necessary funds to finance disaster relief until Congress replenished the fund.

□ 1720

Moreover, timely resolution of these appeals will allow these funds to be used for infrastructure repair, which will assist the economic recovery for communities hard hit by disasters.

More than 12 years ago, Congress enacted the Disaster Mitigation Act of 2000, directing FEMA to begin using cost estimating for repair and reconstruction projects to expedite the recovery process and disaster closeout. Yet, today, FEMA still has not promulgated regulations to implement this provision. H.R. 2903 requires FEMA to promulgate these regulations and to implement cost estimating within 180 days of the passage of this act. We mean it this time.

This provision also will eliminate one of the most inefficient and ridiculous uses of Federal funds that I know of, one that has gotten on my last nerve, where FEMA pays not only for its own experts, but also for the States' experts, essentially encouraging the submission of competing estimates of cost repair, instead of each side deciding on a neutral party to, in fact, estimate those costs.

Finally, FEMA Administrator Fugate has requested that I note FEMA's support for section 210 of this bill, which would authorize Indian tribes to directly make a request to the President for a disaster or emergency declaration. This provision acknowledges tribal sovereignty, enhances FEMA's working relationship with the tribal governments, and improves emergency and disaster responsiveness throughout Indian Country. Numerous Indian tribes have expressed support for this provision, as has the National Congress of American Indians.

I want especially to thank the ranking member, Mr. RAHALL, for his leadership on this and other issues in this bill.

Despite my concerns about the authorized amounts in this bill, H.R. 2903 is good public policy and is necessary to eliminate inefficient government actions and to expedite disaster recovery.

Mr. Speaker, I urge my colleagues to join in supporting this bill, and I reserve the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon, chairman of the Subcommittee on Communications and Technology, Mr. WALDEN, for a colloquy.

Mr. WALDEN. I thank the chairman, and I thank my good friend from California for his terrific work on this bipartisan piece of legislation which is very important to the citizens of this country.

I also want to thank you for this colloquy.

I plan to support your bill, obviously. I think it's a good bill. I just want to clarify because I'm concerned that the language in section 102 of the bill could be construed as authorizing the imposition of requirements on the communications sector. Can you assure me that this is not the effect of this language?

Mr. DENHAM. Will the gentleman yield?

Mr. WALDEN. I yield to the gentleman.

Mr. DENHAM. This bill in no way authorizes FEMA or anyone else to impose any obligations on any participant in the communications industry. Only the FCC can require a participant in the communications industry to take any action with respect to emergency-related alerts. To make this clear, we agree to add language at a later stage indicating that nothing in this bill requires or allows FEMA or any other government entity to require any action on the part of the FCC, the Department of Commerce, the Office of Energy Communications, or any nongovernment entity; nor does it have any impact on any existing obligations of these entities.

Mr. WALDEN. I appreciate the gentleman's comments, and I welcome and thank you for them.

Ms. NORTON. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. RICHARDSON).

Ms. RICHARDSON. Mr. Speaker, I want to commend my friend and colleague from California, Chairman DENHAM, as well as Ranking Member NORTON, for bringing this bill forward and for working with me to improve the bill.

I serve in a unique position by serving on both the Transportation and Infrastructure Committee, as well as Homeland Security. Although this may not be the perfect bill, as some have articulated for the record already, I would have preferred, for example, that the bill make more explicit FEMA's authority to respond to acts of terrorism, in addition to natural disasters. Yet I believe it is necessary that we pass this bill today to ensure that the men and women of FEMA have the

resources necessary to respond to emergencies and disasters in the near future.

I rise in support of the bill, specifically to the language that I added to H.R. 2903 in committee, and I believe it's essential to the well-being of the American people. Specifically, my language, which was marked up in the Committee on Transportation and Infrastructure, and accepted with bipartisan approval, would provide a series of checks and balances that keep the American public safe.

First, my language simply would ensure that the Department of Homeland Security coordinates and provides guidance to the appropriate individuals, officials, and organizations for outreach to individuals with disabilities during unforeseen disasters. This simple, straightforward language will help to keep the disabled, who are the most vulnerable and often times experience the greatest challenges during a time of disaster, safe during those disasters, and also from terrorist attacks.

Individuals with disabilities should feel as safe and secure in their communities and their work environments as individuals without disabilities. Too often, however, the needs of people with disabilities are not considered in emergency planning despite the fact that the need for such planning has received an increased focus due to the recent disasters—for example, Hurricane Katrina—both natural and man-made.

FEMA Administrator Craig Fugate has stated that:

> At FEMA, we need to do a better job of meeting the needs of people with disabilities when disaster strikes. We have to start by supporting and encouraging our entire emergency management team, including our State and local partners, to integrate the needs of people with disabilities into all planning.

My language strengthens H.R. 2903 by ensuring guidance is given to the individuals with disabilities and facilitates cooperation among Federal, State, territorial, local, and tribal governments, private organizations, and individuals in the implementation of emergency preparedness plans related to individuals with disabilities.

Additionally, I included language that would make sure that the integrated public alert and warning system, IPAWS, is properly performing and that the system needs to be tested regularly. IPAWS is the generation platform for transmitting emergency alerts. I have the experience of representing in my district, the 37th Congressional District, the largest number of Samoans outside of Samoa. If we look at that particular incident, and had we had a better working system similar to what IPAWS will be able to do, I believe many lives would not have been lost.

Mr. Speaker, as you know, in November 2011, FEMA conducted a nationwide test of the emergency alert system for the first time in the system's 50-year existence. The system met with widespread problems. With the ever-changing threat to the environment and technological landscape, we cannot afford to wait 50 years to verify if IPAWS is fully performing. To do so is irresponsible. In the case of EAS tests, significant gaps in the system's ability to provide a nationwide alert were revealed for the first time.

My language seeks to make sure that IPAWS in the future is regularly tested and to encourage the administrator of FEMA to test the system at least once every 3 years.

Mr. Speaker, I believe that the language that I submitted was accepted in a bipartisan way, strengthens this bill, and I encourage my colleagues to support the bill as a whole.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of H.R. 2903, the FEMA Reauthorization Act of 2012, and particularly section 102, which authorizes the integrated public alert and warning system.

Section 102 is very similar to H.R. 3563, legislation that I introduced last year to authorize IPAWS, as we call it, which was reported by the Committee on Homeland Security in March. The bill authorizes FEMA's efforts to provide timely emergency alerts and warnings through a range of alerting mechanisms and forms of technology. Emergency management officials, including officials in my home State of Florida, have stressed the value and importance of IPAWS to me personally.

□ 1730

The National Emergency Management Association has publicly supported my IPAWS legislation, and I'm pleased to see they support this bill as well.

The Subcommittee on Emergency Preparedness, Response, and Communications, which I chair, has conducted robust oversight of the IPAWS program during the 112th Congress, having held multiple hearings and a briefing on the topic.

I want to thank Chairman DENHAM for working with me and my staff to incorporate some of the provisions of my bill that were a product of this oversight into the legislation we are considering today, including language related to individuals with disabilities, access and functional needs, language ensuring the protection of individual privacy, and language regarding the resilience of the system.

I'm disappointed, however, that language I suggested to include a specific reference of the system's applicability to acts of terrorism was not incorporated into the bill. However, I look forward to working with Chairman DENHAM and our Senate colleagues as this bill moves through the legislative process to clarify this issue.

I urge my colleagues to join me in supporting this bill.

Ms. NORTON. I appreciate that Chairman DENHAM has brought this FEMA reauthorization bill to the floor.

Mr. Speaker, this bill has now gone over a couple of Congresses. The Democrats didn't get it done, and the Republicans didn't get it done. It's really too important. I hope that in the 113th Congress, this bill can be brought forward early because a lot of very good work has been done on the bill.

Mr. Speaker, I regret that as we sit and think about the 112th Congress, it will be impossible to think of a single major bill passed during these 2 years. In order to pass bills, both Houses have to get together and compromise. That seems to have been impossible, at least for this House.

We are about to leave town in September with a couple of months still to go without the middle class tax cuts just when the recovery needs a boost; in the midst of a drought, without the farm bill; and without the Violence Against Women Act, which passed with an overwhelming bipartisan vote in the Senate. What will it take to get something done? I hope the 113th Congress proves more productive.

This has been called a do-nothing Congress. I would say this Congress has done real harm. To call it a do-nothing Congress is to give it more credit than it deserves.

This is a Congress, at least in the House, that will be remembered for having voted to end Medicare as we know it and increase the cost of healthcare for seniors by $6,400. The 112th Congress will be remembered, all right, for tax breaks for the wealthy and for corporations that ship jobs overseas.

We, in the 112th Congress, have done something amazing when you consider that we have been in a recession unheard of since the Great Depression. We have left the economy entirely to the Federal Reserve Board, to monetary policy, by abandoning the job of Congress to enact fiscal policy. There has been none in the 112th Congress that has had any effect on the economy.

No wonder. We are here for only 8 days after the August recess. If our Republican majority could have phoned in the CR, I believe they would have done it, if you look at what is on our plate as we get ready to go home.

We are going home in September leaving, unthinkably, even the major business of sequestration, the ultimate bill that was passed to force us to get together and compromise. In leaving sequestration on the table, we are leaving a bill that could collapse the entire economy. It's a fitting end for a Congress that did nothing, but in fact, did harm.

I yield back the balance of my time.

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

Let me first start by saying I am proud that we have got another bipartisan bill here that addresses many different areas from FEMA to IPAWS.

Getting the tribal language in here, I think, is not only a good bipartisan effort, but one that the administration is supporting, as well working directly with Director Fugate. I was glad to see the administration put out an email on the tribal language just a little while ago.

Let me respond to the concern that this bill may not allow FEMA to respond to a terrorist attack. It's just not true.

First, the President used the Stafford Act and FEMA to declare a Federal disaster and to respond to every major terrorist attack in this country. There's no question FEMA, the Stafford Act, or this bill fully authorizes the President to direct any element of the Federal Government to respond to a terrorist attack.

Second, one of the most important reforms made by this bill is to remove the liability cloud hanging over our urban search and rescue teams when they're called into Federal service to respond to a disaster.

On September 11, these teams responded to the World Trade Center and the Pentagon. They responded to Hurricane Katrina and even the earthquake in Haiti. Many of these brave first responders are licensed medical professionals or engineers who knowingly put themselves at risk when they are federalized and sent to other States.

The urban search and rescue teams have waited 10 years to remove this cloud over their heads. This bill finally fixes that problem. That's why this bill is supported by the urban search and rescue teams, the International Association of Fire Chiefs, the National Association of Counties, the National Emergency Management Association, and the International Association of Emergency Managers.

They also support this bill and support our first responders. Vote for this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, H.R. 2903, as amended.

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

A motion to reconsider was laid on the table.

PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5912) to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5912

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

SECTION 1. PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS.

(a) IN GENERAL.—Chapter 95 of the Internal Revenue Code of 1986 is amended by striking section 9008.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 95 of such Code is amended by striking the item relating to section 9008.

SEC. 2. CONFORMING AMENDMENTS.

(a) AVAILABILITY OF PAYMENTS TO CANDIDATES.—The third sentence of section 9006(c) of the Internal Revenue Code of 1986 is amended by striking '', section 9008(b)(3),''.

(b) REPORTS BY FEDERAL ELECTION COMMISSION.—Section 9009(a) of such Code is amended—

(1) by adding ''and'' at the end of paragraph (2);

(2) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(3) by striking paragraphs (4), (5), and (6).

(c) PENALTIES.—Section 9012 of such Code is amended—

(1) in subsection (a)(1), by striking the second sentence; and

(2) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(d) AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.—The second sentence of section 9037(a) of such Code is amended by striking ''and for payments under section 9008(b)(3)''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to elections occurring after December 31, 2012.

Amend the title so as to read: ''A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5912, which would terminate taxpayer financing of party conventions.

Mr. Speaker, I'm sorry to say that party conventions today are by and large week-long televised movie sets and almost entirely symbolic. Although conventions do provide important insight into party platforms and Presidential candidates, spending millions of taxpayer dollars to fund them, particularly in today's environment, is simply untenable.

American taxpayers should not be subsidizing political party conventions. With our historic levels of deficit spending and our national debt over $16 trillion and climbing, this Congress and this President need to be thinking very differently about how we use taxpayer dollars.

□ 1740

Since 1976, approximately $1.5 billion has been spent on publicly funding our Presidential primaries, our Presidential general elections, and our Presidential party conventions. Each party's national convention this year received almost $18 million in taxpayer funding. While I believe we should be getting rid of public funding of Presidential campaigns as well, at a minimum we should pass this commonsense measure to stop financing our parties with taxpayers' dollars. The American taxpayer has paid enough for this unwise experiment. It should be ended.

Mr. Speaker, this bill, introduced by my colleague from Oklahoma, I would hope would garner overwhelming bipartisan support. I thank him for introducing it and for his commitment to a responsible and efficient stewardship of taxpayer dollars. This should stop funding going to all party conventions. It is a bipartisan solution to a bipartisan problem.

I urge all my colleagues to support H.R. 5912, Mr. Speaker, and I reserve the balance of my time.

Ms. FUDGE. I yield myself such time as I may consume.

I rise today in opposition to H.R. 5912. H.R. 5912 terminates the public financing of nominating conventions. The Presidential Election Campaign Fund was created and designed to restore public confidence in the political process in a post-Watergate world. Since 1976, both parties have requested and received public funds to finance their nominating conventions, including as recently as this year. The aim of H.R. 5912 is to inject more private influence over elections, even though the current level is already appallingly high. This bill turns over another electoral function to private interests. It invites the very corruption the Presidential Election Campaign Fund was created to combat. This system needs to be reformed, not repealed, and we ought to be having a serious debate about the outsized role money plays in our politics.

Because the majority has failed to act, the ranking member of the House Administration Committee, Mr. BRADY of Pennsylvania, was forced to have his own forum on the poisoning effect of money in politics. We have not considered the DISCLOSE Act or any legislation of substance to deal with the secret money influencing our politics. The Voter Empowerment Act was introduced months ago. Yet absolutely nothing has been done to address the threat of millions of voters being disenfranchised this November. Most appalling, Mr. Speaker, is the fact that

this Congress is making its own history as the least productive Congress in a generation.

This Congress has already considered the substance of the measure before us—at least twice—in November, 2011, and again this past January. To be blunt, Mr. Speaker, this is simply a waste of time. Unemployment insurance and Medicare physician payment rates need to be tackled. Middle class tax cuts are set to expire and we need to reauthorize the Violence Against Women Act. This bill does nothing to address deficit reduction, but here we are considering it while ignoring the looming sequester. We voted to repeal ObamaCare more than 30 times without voting on a serious jobs bill once. This piece of legislation further intertwines our political process with the private interests while pleas from the middle class are blatantly ignored and the economic future of this country hangs in the balance.

For almost 2 years now, serious issues have been ignored in favor of politically convenient empty gestures. And this is more of the same. It is time to get serious and it is time to get to work. We can start by opposing this legislation and urging the majority to address the real issues facing this country.

I urge a ''no'' vote, and I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, it is a shame we've come to a point where it can be said on the floor of the House attempting to save the taxpayers of America $36 million is a waste of time.

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), a distinguished member of the Committee on Appropriations and the Committee on the Budget. Mr. COLE is the sponsor of this bill.

Mr. COLE. I thank my friend for yielding.

H.R. 5912 is a bipartisan bill to end public financing for political conventions. And that's all it is.

I want to begin by thanking my friend, Mr. LOEBSACK from Iowa. We belong to different parties. I have no doubt we'll be voting for different Presidential candidates. But we both agree that it's wrong to use taxpayer dollars to finance partisan political events. And I appreciate his support in helping push this legislation.

Let me make it clear to everybody. I'm not opposed to political party conventions. I've gone to 10 of them. I actually had the privilege of helping stage one in 2000, when I was chief of staff of the Republican National Committee. And I can assure you that experience taught me that the parties are more than capable of putting on their conventions. They essentially do that now. The Federal component of the cost to the convention is about 23 percent of the total cost. So the idea that they can't find the resources to do this for themselves I think simply falls flat on its face.

This year, at a time when we're going to be running trillion-dollar deficits for the fourth year in a row, we wrote checks to the Democratic Party and to the Republican Party, as my friend Mr. LUNGREN mentioned, for almost $18 million each. For what? Was it really necessary? Does anybody really believe that was the best use of public money? Is there no program that's more important? I can give you a list of better places for that money to go that we would probably agree on on both sides of the aisle.

It's remarkable to me that we've reached a point in this body that this becomes an issue of some degree of partisan contention. The United States Senate passed, essentially, this legislation by 95–5 in an amendment by my friend, Mr. COBURN, to a larger piece of legislation. So there's broad agreement in the Senate, which Democrats control, that this is a Federal expense that we no longer need to incur.

This bill is a small step, but it's a stall step in the right direction. It's a step to save taxpayer dollars for things that people need as opposed to things that politicians and political parties want. We ought to take this opportunity, work together, save the money, reduce the deficit by at least a modest amount, spend money in places where it's necessary, and pass this bill. It's a quite simple piece of legislation. Those folks that have a different point of view, bring your legislation to the floor, we'll deal with that. But there's no reason to pay for the Democratic and the Republican national conventions with taxpayer funds.

One last point, if I may, Mr. Speaker. We don't do this for anybody else. There are other political groups and parties in America that I'm sure would like to have their conventions paid for. We don't give them a single dime. So this actually perpetuates a bipartisan monopoly, if you will. There's no public purpose in spending this money.

So I urge the passage. I urge some bipartisan cooperation.

Ms. FUDGE. Just to be clear, let me first say it will not reduce the deficit. This is a voluntary checkoff. This does not come from taxpayers' dollars. It will not reduce the deficit. So let's be clear.

Secondly, when he talked about the Senate having passed this on a 95–5 vote, he doesn't say it was an amendment to the farm bill. It was not a standalone bill for this purpose.

With that, I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LOEBSACK), a distinguished member of the Committee on Education and Workforce and the Committee on Armed Services.

Mr. LOEBSACK. Mr. Speaker, I thank the gentleman from California for yielding, and I do rise in support of this bill.

As we struggle to recover from the worst recession since the Great Depression, Congress must be good stewards of taxpayer funding and ensure that as families cut back and save, the government cuts back and saves as well.

I have been pleased to work with Congressman COLE to promote this legislation. And as the only Democratic cosponsor, I do want to thank him for his work on this bill. I'm also pleased that Senator COBURN's identical amendment passed with huge bipartisan support in the Senate. And I do expect similar support in the House, as I think we can all agree on this commonsense way to ensure the prudent use of taxpayer funds.

This bill will prohibit the use of public funding for political party conventions like the recent ones in Tampa and Charlotte. It will also put any leftover funding toward deficit reduction. And while I did not attend the convention this year so I could focus on the needs of Iowans, I know there is an important role some convention activities play for the political parties and for the country, and indeed for the political process in America. However, I do not believe that taxpayer dollars need to be used to fund them, especially when public funding, as was mentioned, only makes up 23 percent of the cost of the conventions, is far outweighed by private donations, and is used for purposes not necessarily critical to the continuance of our stable democracy.

□ 1750

While Iowa families are struggling each day just to pay the bills, Washington should as well be focused on ensuring proper use of taxpayer resources. While I certainly appreciate the concerns of those opposed to this bill, I nonetheless hope that the House agrees that parties at political conventions are not a proper purpose or use of funds, taxpayer dollars.

I do hope that my colleagues will support Congressman COLE's legislation to ensure taxpayer funds are not being used for either Republican or Democratic Parties, and that in the future, I would like to see us be much more thoughtful regarding where we apply public funds in the political process. I think there is an important role for that.

Ms. FUDGE. Mr. Speaker, I yield myself the balance of my time.

Let me be clear again: This is a voluntary checkoff. They check the box because they want the money to go to conventions and/or political activity. It is not something that we require them to do. It is voluntary. So if, in fact, we are going to stop and give the money back, the money should go back to the American people, not to reduce the deficit, because that is the purpose for which the money was sent to us in the first place.

With that, I urge a ''no'' vote and yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it may be a voluntary checkoff, but the money is not voluntary. It is part of the income tax you are required to pay. While we all do support government, I would wonder, if you made the income tax entirely voluntary, whether we could get anything close to what we do now. It is, in fact, the tax that you must pay. So that part is not voluntary.

Secondly, I'm surprised that one would not want to attribute this to reducing the deficit even though it's only $36 million, as suggested by the other side. If we can't even do this here, what confidence can the American people have that we would deal with the tougher issues and larger amounts? If $36 million is too difficult for us to use to somehow reduce the deficit, what hope is there that we can do anything seriously in this Congress or Congresses in the future?

I must respond to the repeated suggestion that we have done nothing in this Congress.

The Obama administration would be surprised, since they said that the FISA amendments, which we passed on this floor with 301 positive votes, were the number one priority for the administration in the area of intelligence. In the aftermath of what happened just a couple of weeks ago, one would think that we would understand the seriousness of intelligence. And that which is the greatest tool, according to the DNI currently and previous DNIs, that tool, which got strong bipartisan support, was indeed an important thing for us to do here.

We had three free trade agreements that we finally approved. They have been waiting around for a number of years. The consensus is they create jobs in this economy and give us a fair playing field in which our workers can compete.

We had a transportation bill that we passed. We dealt with the interest paid on student loans. And I would just say, for 2 years in a row, we have, in fact, spent less on discretionary spending than we did the preceding year. I think that's the first time we've done that in a generation.

There are other things that I could talk about. It is a shame that the other body has not acted on the nearly 30 bills we've sent over there that deal with jobs.

Oh, yes, we also had my bill, H.R. 4, which repealed that section of the President's health care bill that placed an inordinate paperwork burden on small business, and that was the number one priority of the small business community in the country.

I wish we would do more. I wish we would have the cooperation of the other body. It's very difficult to negotiate when the other party won't come to the table or even articulate what their position is; but, nonetheless, I would suggest that those things I have spoken about are not unimportant.

But, of course, that's a digression because that's not talking about the bill before us.

The bill before us is a simple bill. All it does is say that the party's over. The taxpayer will no longer pay with taxpayer dollars for the conventions of the two national parties. Doesn't stop them from having their conventions, doesn't denigrate their conventions, doesn't take them off television; it just says the American taxpayer will not pay for it. We're going to save $36 million. Fairly straight forward, fairly simple.

I would hope that we would have a strong bipartisan vote for this, because it is truly a bipartisan problem and timely, because many of our constituents, at least when I was home in the district, said, Why are you in the Congress voting to put taxpayer dollars for these conventions?

That was a tough question to answer. We can answer that question here in a very bipartisan way by passing this bill.

With that, I would ask my colleagues to support H.R. 5912, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today in opposition to H.R. 5912. This bill is flawed in substance and comes to the floor without serious deliberation or debate.

I want to make clear, however, that my colleague from Oklahoma and I agree that paying for presidential nominating conventions is not a wise use of taxpayer dollars. In fact, the main provisions of Mr. COLE's bill are included nearly verbatim in my Presidential Funding Act H.R. 414. However, H.R. 5912 excludes a critical prohibition on the use of "soft money" to fund conventions, keeping the door open for unlimited soft money donations from corporations and high-dollar special interests. Allowing conventions to accept millions of dollars in these unregulated contributions could threaten the credibility of the nominating process and further erode the principle of one voice, one vote.

I also take issue with the closed process under which this bill has been brought to the floor. H.R. 5912 is being considered under suspension of the rules, without amendments, committee markup, or serious deliberation. The Committee on House Administration has not even held hearings on this bill. But that should come as no surprise—the Majority has not held a single hearing on the issue of campaign finance in the 112th Congress, a period that has seen the House pass bills dismantling many of the common-sense campaign reforms of the post-Watergate era. I have opposed repeated floor votes that would repeal the presidential public financing system as a whole. This bill is merely the latest cynical attempt to attack the system with no effort to replace it.

In the wake of the Supreme Court's thoroughly misguided Citizens United decision, we should be working to strengthen—not to weaken—the rules that ensure our elections are free and fair. That is why Mr. VAN HOLLEN, other colleagues, and I will introduce a bill later this week which will be an important first step toward the comprehensive reform that our democratic elections need.

Our bill, the Empowering Citizens Act, will incorporate and improve H.R. 414, reforming and strengthening the presidential public financing system. In addition, it will establish a voluntary small-donor public financing program for congressional campaigns. Finally, it will establish strong rules forbidding coordination among candidate-specific SuperPACs and political parties or campaigns, thereby lessening the outsize influence of special interests and outside spending groups in our elections.

I believe that we are at a tipping point in the short history of campaign finance reform—we can either choose to stand by the common-sense reforms that have restored America's faith in elections after the Watergate scandal, or we can choose to cede control of political campaigns entirely to wealthy corporations and interest groups. The responsible choice is clear. I strongly urge my colleagues to oppose this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill, H.R. 5912, as amended.

The question was taken.

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

Ms. FUDGE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

DISASTER LOAN FAIRNESS ACT OF 2012

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6296) to amend the Small Business Act to provide the interest rate for certain disaster related loans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6296

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Disaster Loan Fairness Act of 2012".

SEC. 2. INTEREST RATE FOR CERTAIN DISASTER RELATED LOANS.

Section 7(d) of the Small Business Act is amended by adding at the end the following:

"(8)(A) Upon application, the Administration shall grant an interest rate determined under this paragraph with respect to any qualifying disaster loan.

"(B) For the purposes of this paragraph a qualifying disaster loan is the Administration's share of a loan—

"(i) for which the interest rate would be set pursuant to paragraph (5) but for the operation of this paragraph;

"(ii) which is or was made with respect to activity in an area when the President has declared a major disaster in that area under section 401 of the Stafford Act; and

"(iii) which is or was made during the period beginning January 1, 2011, and ending on the date that is 4 years after the date of the enactment of the Disaster Loan Fairness Act of 2012.

"(C) The Administrator shall determine the interest rate for each calendar year to be the lesser of—

"(i) 4 percent; and

"(ii) a rate equivalent to ½ the rate prevailing in the private market for similar

loans for those unable to attain credit elsewhere and ¾ of that prevailing rate for those able to attain credit elsewhere.

''(D) The Administrator shall refund excess interest payments to borrowers whose interest rate on already made loans is lowered by reason of the operation of the paragraph.

''(E) Not later than one year after the date of the enactment of the Disaster Loan Fairness Act of 2012, the Administrator shall report to Congress as part of the annual report under Section 10(a) on whether the interest rate provided by this paragraph has resulted in any or all of the following:

''(i) A greater number of applications for disaster related loans.

''(ii) A greater number of approvals of disaster related loans.

''(iii) A decreased default rate on disaster related loans.''.

SEC. 3. TERMINATION OF USE OF PUBLIC FUNDS FOR POLITICAL PARTY NOMINATING CONVENTIONS.

Section 9008 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(i) TERMINATION OF USE OF FUNDS FOR CONVENTIONS.—Notwithstanding any other provision of this section, in the case of any presidential election held after 2012—

''(1) the Secretary shall not make any payments under subsection (b)(3) to any national committee of a major party or minor party;

''(2) on November 1 of the year prior to the year in which the election is held, the Secretary shall determine—

''(A) in the case of the first such election, the amount which is equal to the aggregate amount of the payments which were made under subsection (b)(3) to the national committees of a major party or minor party for the presidential election held in 2012, adjusted in the manner described in subsection (b)(5), or

''(B) in the case of any subsequent election, the amount which is equal to the amount determined under subparagraph (A), adjusted in the manner described in subsection (b)(5); and

''(3) at the time the Secretary makes the determination under paragraph (2), an amount equal to the amount determined under paragraph (2) shall be permanently rescinded from the fund and returned to the general fund.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Just over a year ago, the people of the 11th Congressional District of Pennsylvania endured some of the worst flooding that we have ever experienced. In the aftermath of both a hurricane and a tropical storm, the Susquehanna River and streams flowing into it surged out of their banks, washing out homes and businesses and roads and bridges.

I spent days traveling across my district consoling my constituents. I was with them as they had to throw out photo albums, their children's toys, their clothing, their furniture, their lives' possessions. I stood on muddy porches and cried with my constituents.

Time after time they asked me how the Federal Government was going to help them recover. Time after time, business owners asked me if the Federal Government was able to provide low-interest loans so they could rebuild, reopen, and bring back their workers. Time after time, I would tell them the government of the United States was going to offer them loans at a 6 percent interest rate. That's right, 6 percent.

□ 1800

A 6 percent loan isn't going to help a business owner rebuild and reopen, and the hardworking people of northeastern Pennsylvania knew that. A 6 percent loan isn't going to help a family rebuild a flooded home. I was embarrassed to tell the mothers and fathers and grandmothers and grandfathers and business owners of my district that the Federal Government, through the Small Business Administration, was going to give them a 6 percent loan to help them get back on their feet.

I was even more embarrassed—and even shocked—when I started looking at our budget for foreign disaster relief. This government gave $215 million of flood relief to Pakistan. And what rate do we charge foreign countries when we rebuild their infrastructure? Zero percent. We don't charge foreign countries any interest. The taxpayer money they receive from the United States is a giveaway. But this government was going to charge American homeowners and American business owners 6 percent interest on loans they were going to use to rebuild.

Now, the United States of America is one of the most generous, compassionate countries when it comes to providing global aid. When disaster strikes anywhere in the world, the United States is the first country to help them rebuild. But when disaster strikes right here in our own country, we need to start rebuilding here first. Let's help Americans first. We must restore American lives, save American businesses, and protect American jobs.

Now, I know hundreds of my colleagues have had similar conversations with their constituents after they experienced natural disasters in their districts. Since the start of the 112th Congress, communities in over 200 congressional districts in 46 States have been flooded by a tropical storm or a hurricane, burned by wildfire, crippled by a snowstorm, or destroyed by a tornado, resulting in a disaster declaration by the President. Constituents across the country have heard the same news—the Federal Government can provide help in the form of a high-interest loan.

Fortunately, this is something that we can fix. I introduced the Disaster Loan Fairness Act of 2012, which would dramatically change the way the SBA provides disaster recovery loans. This bill would lower the interest rate for borrowers with no credit available elsewhere to one-half of the prevailing rate, and it would cap the interest rate at 4 percent. For those who can get credit elsewhere, this bill would lower the interest rate to three-quarters of the prevailing rate, again, capping the maximum interest rate at 4 percent.

The Disaster Loan Fairness Act is retroactive to January 1, 2011. This means the SBA is required to refund excess interest payments for disaster loans made since this date. Homeowners and business owners who took out these loans will receive refunds for their excess interest payments.

To offset the direct spending, this bill terminates the use of public taxpayer funds for political party conventions in the elections occurring after 2012. Simply put, this bill prioritizes disaster victims over the subsidizing of political party conventions. We are literally putting the American people ahead of politics.

This bill will provide serious, substantial, necessary help to the hundreds of thousands of Americans who have endured horrible loss during natural disasters. It will provide relief to the millions of Americans who will suffer loss in future disasters.

I ask my colleagues to support the Disaster Loan Fairness Act of 2012, H.R. 6296, and provide relief for so many Americans that need that help.

I reserve the balance of my time.

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

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Speaker, natural disasters profoundly impacted our Nation this year. From wildfires out west to drought in the Plains to violent storms in the Northeast, millions of households were affected. These unanticipated events leave families and small businesses facing significant costs when rebuilding.

Typically, insurance covers monetary losses, but that is not always the case. To complement insurance coverage, Congress authorized the SBA to provide disaster loans to affected families and small businesses. Since its inception in 1953, the SBA has approved roughly 1.9 million disaster loans, amounting to approximately $47 billion.

Over the years, the program has evolved to better assist victims. As chairwoman of the Small Business Committee, I worked to incorporate bipartisan reforms in the 2008 farm bill to help disaster victims get back on their feet. These included new disaster

bridge loans, greater loan amounts, extending deferment periods, and enabling more private sector involvement.

The current program makes the government the lender of last resort by subsidizing reduced interest rates only for those who cannot get credit elsewhere. The goal is to assist as many victims as possible and ensure risk-sharing remains a public-private partnership. This bill, however, would eliminate the ''credit elsewhere'' test, offering taxpayer-subsidized, low-interest loans to all applicants. At a time when government resources are scarce, we should not be shifting more borrowers and additional risk into this initiative.

This is not my only concern. The bill also arbitrarily limits interest rates—with no empirical data to show why these levels are appropriate. Capping interest rates could greatly increase the taxpayers' burden in the future as costs rise and revenue remains flat. The SBA is also directed to issue refunds on previously approved loans. The bill is silent on how to carry that out, creating an administrative nightmare for the SBA.

Continuing to improve the program is important, but in doing so, we should not create unintended consequences. If the regular committee hearing and markup process had been followed, Members could have addressed this bill's shortcomings. Placing it on suspension has further limited Members' participation.

I would like to direct the attention of my colleagues on both sides of the aisle to the fact that this bill creates $50 million in direct spending. To offset the cost, it will eliminate public funding of political conventions, undoing years of campaign finance reform in the process.

Today, Federal election rules seek to keep soft money and undue influence out of the Presidential race. Since the Supreme Court's Citizens United decision, it's become clear that powerful stakeholders will spend millions to help a candidate win. If public funding were terminated, special interests will once again compete to curry favor with Presidential candidates by bankrolling nominating conventions.

Mr. Speaker, it is certainly appropriate to provide relief to homeowners and businesses affected by a disaster; however, it is inconsistent with the intent of the program to ask taxpayers to subsidize loans for those who can get credit elsewhere. Is this the best use of government resources? I don't know. But I'm confident we could have investigated this and other concerns if the committee process were not bypassed in favor of today's suspension vote.

With that, I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, I rise today in strong support of H.R. 6296, the Disaster Loan Fairness Act of 2012, introduced by my colleague from Pennsylvania, Representative BARLETTA.

Our districts cross each other in several counties, so we both have experienced the disaster that took place in the 10th and 11th District.

□ 1810

At the end of August 2011, Hurricane Irene caused severe flooding and widespread power outages in eastern Pennsylvania. With the ground saturated and waterways at a very high level, Tropical Storm Lee arrived about one week later, causing historic widespread flooding in most of central and eastern Pennsylvania. The 10th Congressional District that I represent was particularly hit hard.

Ten of the 14 counties in the district were impacted by the flood. The storm knew no boundaries. It hit homes and businesses, government offices and schools, farms, cemeteries, and churches. I visited with families and individuals who had lost everything.

I traveled to many businesses, both large and small, that were affected, like the Knoebels Amusement Park in Northumberland County, where I watched workers and owner clean up four inches of mud that covered the ground across the entire park.

While the people of my district have made heroic efforts to rebuild, they have faced many obstacles. One of these is finding loan opportunities which they need to finance the rebuilding of their homes and businesses.

Unless you have lived through a disaster and visited with families that have been through the experience, it is hard to imagine the hopelessness and desperation that people experience when the rebuilding process begins.

H.R. 6296 will provide critical relief to disaster victims in my district and across the country by lowering the interest rate on SBA disaster loans. This legislation, which will, on average, lower rates on SBA disaster loans by 1½ to 2 percent, will give Americans impacted by disaster the ability to begin the process of rebuilding their lives and livelihoods.

I had the occasion to hear a little of the argument prior to this concerning the conventions getting money, and there was an issue raised about it's only $36 million. Well, there's nobody in this room that doesn't think $1 million is a lot of money, and I certainly think $36 million is a whole heck of a lot of money.

Now, we can send money to conventions. That should be the responsibility of each party, regardless of what side of the aisle you're on.

But we also send taxpayer money to countries that hate us, so I think it's about time we start helping the American people with their own tax dollars.

I urge all of my colleagues to join with me and Representative BARLETTA in support of this important legislation.

I had one experience that just stuck in my mind. During the flood, I visited a family who wasn't in their house.

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

Mr. BARLETTA. I yield the gentleman 1 additional minute.

Mr. MARINO. I want to share an experience I had touring the same areas that Lou did. And it was a family of six; they weren't able to be in their house. It was a blue collar family. It was half a double.

They wouldn't even be able to sit on their porch or stand in their front yard. That's how bad the flood was. Most of their furniture and belongings were out on the front yard, just totally lost.

They sat on the back of a pickup truck. A 6-year-old little girl, 6 or 8 years old, said to me, Are you here to help, because we don't have a bed to sleep in and we don't have a room to sleep in. What are we going to do tonight?

That is what we're faced with. We're supposed to be helping our people in our district, and I urge my colleagues to support this legislation.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I was a cosponsor of the original version of this bipartisan bill and rise to support the modified legislation we are considering today. I want to thank Mr. BARLETTA for his work on this important legislation in the aftermath of Hurricane Irene and Tropical Storm Lee.

These two disasters caused millions in damage in northern New York. One year later, small businesses and homeowners are still recovering.

As I walked around my district immediately after, I saw people shoveling out mud, throwing out heirlooms, and struggling to understand what had happened to them. Many of the businesses were ruined, along with homes.

But I also saw something else. I saw people helping people. What we're doing here today is having the government help people. We're following the example of our constituents.

Currently, the Small Business Administration offers disaster recovery loans to small businesses and homeowners for as low as 4 percent and up to 8 percent if credit is available elsewhere. To date, nearly 100 small businesses and homeowners in my congressional district have been approved for more than $5.8 million in disaster loans. But I have heard from many constituents that the interest rates are simply too high to take advantage of these loans.

This bipartisan bill would lower the interest rate on disaster loans.

Mr. BARLETTA. Mr. Speaker, I have no more speakers and I am prepared to close.

I reserve the balance of my time.

Ms. VELÁZQUEZ. I yield back the balance of my time.

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

When disaster strikes around the world, America is always the first to help, and I'm proud of that. I'm proud

of our country. I'm proud that when countries need help, we're there.

But when disasters strike right here at home, I do believe that we should help Americans first, and we don't know when or where the next disaster will occur. It could be tonight, could be tomorrow, could be next week. But let's make sure, before we leave here today, that we tell our neighbors and friends back home and around this great Nation that, in their greatest time of need, their country will be there for them.

With all the devastation and destruction that happened from last year's flood, I saw the greatness of America. I saw neighbors helping neighbors. I saw strangers helping people. I saw students helping the elderly. I saw what makes this country great, and I saw the American people come together.

It's time that this Congress comes together. I urge my colleagues to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 6296, as amended.

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

A motion to reconsider was laid on the table.

BORDER SECURITY INFORMATION IMPROVEMENT ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6368) to require the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6368

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Border Security Information Improvement Act of 2012''.

SEC. 2. STUDY.

(a) REPORT ON CROSS-BORDER VIOLENCE ON THE SOUTHWEST BORDER.—Not later than 180 days after the date of the enactment of this Act, the Attorney General and the Secretary of Homeland Security shall jointly submit to the congressional committees set forth in subsection (b) a report on cross-border violence on the Southwest Border of the United States. Such study shall include—

(1) the definition of cross-border violence used by law enforcement components within the Departments of Justice and Homeland Security;

(2) the ability of the Departments of Justice and Homeland Security and their law enforcement components to track, investigate, quantify, and report on the level of cross-border violence occurring along the Southwest Border of the United States;

(3) the extent to which the Departments of Justice and Homeland Security define and track cross-border violence and steps being taken to address the effects of cross-border violence along the Southwest Border of the United States;

(4) the information and data on cross-border violence collected and made available through inter-agency taskforces on the Southwest Border of the United States, including the Southwest Border High Intensity Drug Trafficking Area, Arizona's Alliance to Combat Transnational Threats, the El Paso Intelligence Center, the Border Enforcement and Security Task Force, and State and Local Fusion Centers; and

(5) the additional resources needed to track, investigate, quantify and report on the level of cross-border violence occurring along the United States-Mexico border.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Homeland Security of the House of Representatives; and

(4) the Committee on the Judiciary of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6368, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'd like to thank my colleague and good friend, Congressman FRANCISCO CANSECO, for his work on the issue of cross-border violence and its impact on the United States.

Mr. Speaker, In recent years, drug trafficking-related violence has increased in Mexico. According to Mexican officials, over 40,000 people have been killed as the result of drug-related violence since 2006.

As the gentleman from Texas has pointed out, we should be very concerned that there are insufficient methods to track this violence and that it spills over into the United States.

When evaluating increased violence in Mexico and its effect on the United States, a central concern is the potential for what has been termed "spillover violence"—an increase in drug trafficking-related violence in the United States.

The violence being committed by Mexican drug cartels within Mexico's own borders presents a national security challenge for Mexico. When that violence spills over into the United States, it presents a national security concern for America as well.

Cross-border violence is a challenge for both countries while criminals kill not only each other but government officials, law enforcement and military officers, innocent civilians and children.

Administration officials maintain that there has not yet been a significant spillover of violence from Mexico into the United States. But we should not wait for it to happen.

This bill requires the Department of Justice and the Department of Homeland Security to provide a joint report to Congress on the Departments' ability to track, investigate and measure cross-border violence along the Southwest border.

In addition, it directs the Departments of Justice and Homeland Security to make recommendations to Congress on how best to accurately track, investigate and measure cross-border violence.

Cross-border violence is a complex problem which cannot be resolved overnight. This legislation is an important first step in developing an overall strategy to combat spillover violence.

I again thank Mr. CANSECO for his work on this issue, and I urge my colleagues to support this bill.

I will now yield as much time as he might consume to the gentleman from Texas (Mr. CANSECO).

□ 1820

Mr. CANSECO. I want to thank my friend and colleague and fellow San Antonian—the chairman of the Judiciary Committee, Mr. SMITH—as well as his diligent and hardworking staff, for their help on this very important matter.

I come to the floor today, Madam Speaker, in support of my legislation, H.R. 6368, the Border Security Information Improvement Act.

As the Representative of a district with nearly 800 miles of U.S.-Mexico border, I know firsthand how important the security of our citizens along our shared border with Mexico is. As I visit with the people of the 23rd District of Texas, I hear time and time again from Americans living along the border that they do not feel safe or secure. They talk of living in fear. They tell me that Washington is not paying attention as drugs, weapons, and humans are smuggled through their communities. Washington is not listening as they ask for help as violence from Mexican drug cartels spills into their communities and cities and towns.

Many of the statistics and information used to make claims about the security of our southwest border are based on information from sources, such as the Uniform Crime Report, that are not intended to measure security along our border.

Administration officials have claimed that the border is safe and secure. Yet, while attending a Homeland Security Committee hearing last May, I learned that the Department of Homeland Security and the Department of Justice do not have a working, uniform definition of ''spillover violence.'' Yet witnesses at the hearing—

high-ranking officials from Justice and Homeland Security—stated that there is no cross-border violence.

This is completely unacceptable. If the Federal Government cannot even define what endangers border citizens, we cannot ensure their safety. H.R. 6368 is simple. It is straightforward. It is a bill that will address this very problem.

It directs the Department of Justice and the Department of Homeland Security to submit a report to Congress on their ability to define, to track, to investigate, and to quantify cross-border, or spillover, violence.

The Departments of Justice and Homeland Security will furthermore report what information and statistics are available and that are at their disposal in order to understand the amount of violence spilling into the United States. The ability to correctly monitor the level of spillover violence occurring across our Nation's borders will allow us to assess the success of our border security policies and to ensure that we have the correct policies in place in order to stop violence, stop drugs and contraband from spilling into the United States.

Lastly, the Departments will recommend to Congress what additional resources are necessary in order to track, quantify, and report on cross-border violence so that Congress can do its part and ensure that our Federal law enforcement agencies have the tools and the data that they need to do their jobs. Congress must be a willing and able partner in the fight against the ruthless Mexican cartels and the violence that they bring into our American communities.

Madam Speaker, the American people deserve to know the capability of their government to address cross-border violence. This bill does not seek to prove that one party is right or that one party is wrong. It simply seeks to find out the ability of the Departments of Justice and Homeland Security to define, to track, and to understand the amount of violence spilling into the United States from Mexico. In order to achieve a secure border, we must be able to correctly gauge the amount of violence that is spilling into the United States, and I believe that this bill is an important first step in that direction.

Mr. SCOTT of Virginia. Madam Speaker, I yield myself such time as I may consume.

H.R. 6368 requires the Department of Justice and the Department of Homeland Security, no later than 180 days after the enactment of this law, to jointly provide a report to Congress on those Departments' abilities to track, investigate, and quantify cross-border violence along our country's southwest border and to provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence.

This seems like a good idea, and I note that the bill provides that we will receive budget recommendations along with the report, as some have suggested, so that we can reduce the size of government with unspecified cuts, but then we are often surprised to see what those cuts are. Tracking, investigating, and responding appropriately to cross-border violence will require personnel and equipment, which obviously will require increases, not cuts, in the budget.

I want to thank the gentleman from Texas (Mr. CANSECO) for his work on the bill. I look forward to the report, and I recommend the bill's passage.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield back the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 12, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Washington, DC.

Dear CHAIRMAN SMITH: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 6368, which requires the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the ability to track, investigate, and quantify cross-border violence along the Southwest Border and provide recommendations to Congress.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 6368 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this response and your letter be included in the Committee on the Judiciary report to H.R. 6368 and in the Congressional Record during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 13, 2012.

Hon. PETER KING,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN KING, Thank you for your letter dated September 12, 2012, regarding H.R. 6368, the ''Border Security Information Improvement Act of 2012,'' which was referred to the Judiciary Committee on September 10.

I am most appreciative of your decision to forego consideration of H.R. 6368 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Homeland Security is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 6368.

Sincerely,

LAMAR SMITH,
Chairman.

The SPEAKER pro tempore (Mrs. SCHMIDT). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6368, as amended.

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

The title was amended so as to read: ''A bill to require the Department of Justice and the Department of Homeland Security to provide a joint report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5044, by the yeas and nays;

H.R. 5912, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

ANDREW P. CARPENTER TAX ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5044) to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 29, as follows:

[Roll No. 585]

YEAS—400

Ackerman	Baldwin	Berman
Adams	Barber	Biggert
Aderholt	Barletta	Bilbray
Alexander	Barrow	Bilirakis
Altmire	Bartlett	Bishop (GA)
Amash	Barton (TX)	Bishop (NY)
Amodei	Bass (CA)	Bishop (UT)
Andrews	Bass (NH)	Black
Austria	Becerra	Blackburn
Baca	Benishek	Blumenauer
Bachmann	Berg	Bonamici
Bachus	Berkley	Bonner

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

NOT VOTING—29

Akin
Brady (TX)
Campbell
Clarke (MI)
DeLauro
Filner
Forbes
Gallegly
Granger
Green, Al
Green, Gene
Herger
Hirono
Jackson (IL)
Johnson (IL)
Johnson, Sam
Labrador
Lee (CA)
Lynch
Maloney
Platts
Rivera
Ross (AR)
Roybal-Allard
Ryan (WI)
Shuler
Speier
Thompson (CA)
Tsongas

□ 1849

Mrs. ELLMERS changed her vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Madam Speaker, on rollcall No. 585, had I been present, I would have voted "yea."

Mr. FILNER. Madam Speaker, on rollcall 585, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

PROHIBITING USE OF PRESIDENTIAL ELECTION CAMPAIGN FUNDS FOR PARTY CONVENTIONS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5912) to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DANIEL E. LUNGREN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 310, nays 95, not voting 24, as follows:

[Roll No. 586]

YEAS—310

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Davis (CA)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Jones
Jordan
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Landry
Langevin
Lankford
Latham
LaTourette
Latta
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Speier
Tiberi
Tsongas

□ 1856

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions.''.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 586, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

□ 1900

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 5839

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 5839, a bill originally introduced by Representative GEOFF DAVIS of Kentucky, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

PERMISSION FOR MEMBER TO BE ADDED AS COSPONSOR OF H.R. 2994

Ms. BONAMICI. Mr. Speaker, I ask unanimous consent to be added as a cosponsor to H.R. 2994, the Marine and Hydrokinetic Renewable Energy Promotion Act. The original sponsor is no longer in Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

VULNERABLE VETERANS HOUSING REFORM ACT OF 2012

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6361) to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6361

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Vulnerable Veterans Housing Reform Act of 2012''.

SEC. 2. EXCLUSION FROM INCOME.

Paragraph (4) of section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(4)) is amended—

(1) by striking ''and any amounts'' and inserting '', any amounts'';

(2) by striking ''or any deferred'' and inserting '', any deferred''; and

(3) by inserting after ''prospective monthly amounts'' the following: '', and any expenses related to aid and attendance as detailed under section 1521 of title 38, United States Code''.

SEC. 3. UTILITY ALLOWANCES AND DATA.

Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended—

(1) in paragraph (2), by adding at the end the following new subparagraph:

''(D) UTILITY ALLOWANCE.—

''(i) IN GENERAL.—In determining the monthly assistance payment for a family under subparagraphs (A) and (B), the amount allowed for tenant-paid utilities shall not exceed the appropriate utility allowance for the family unit size as determined by the public housing agency regardless of the size of the dwelling unit leased by the family.

''(ii) EXCEPTION FOR CERTAIN FAMILIES.—Notwithstanding subparagraph (A), upon request by a family that includes a person with disabilities, an elderly family, or a family that includes any person who is less than 18 years of age, the public housing agency shall approve a utility allowance that is higher than the applicable amount on the utility allowance schedule, except that in the case of a family that includes a person with disabilities, the agency shall approve such higher amount only if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability.

''(iii) AUTHORITY TO INCREASE ALLOWANCE.—Notwithstanding subparagraph (A), in the case of any family not described in clause (ii), a public housing agency may, at the request of the family, approve a utility allowance that is higher than the applicable amount on the utility allowance schedule. In making such a determination, the agency shall consider (I) the amount of the increase in utility costs for the family, and (II) the difficulty for the family in relocating.''; and

(2) by adding at the end the following new paragraph:

''(21) UTILITY DATA.—

''(A) PUBLICATION.—The Secretary shall, to the extent that data can be collected cost effectively, regularly publish such data regarding utility consumption and costs in local areas as the Secretary determines will be useful for the establishment of allowances for tenant-paid utilities for families assisted under this subsection.

''(B) USE OF DATA.—The Secretary shall provide such data in a manner that—

''(i) avoids unnecessary administrative burdens for public housing agencies and owners; and

''(ii) protects families in various unit sizes and building types, and using various utilities, from high rent and utility cost burdens relative to income.''.

SEC. 4. PILOT PROGRAM FOR GRANTS FOR REHABILITATION AND MODIFICATION OF HOMES OF DISABLED AND LOW-INCOME VETERANS.

(a) GRANT.—

(1) IN GENERAL.—The Secretary shall establish a pilot program to award grants to qualified organizations to rehabilitate and modify the primary residence of eligible veterans.

(2) COORDINATION.—The Secretary shall work in conjunction with the Secretary of Veterans Affairs to establish and oversee the pilot program and to ensure that such program meets the needs of eligible veterans.

(3) MAXIMUM GRANT.—A grant award under the pilot program to any one qualified organization shall not exceed $1,000,000 in any one fiscal year, and such an award shall remain available until expended by such organization.

(b) APPLICATION.—

(1) IN GENERAL.—Each qualified organization that desires a grant under the pilot program shall submit an application to the Secretary at such time, in such manner, and, in addition to the information required under paragraph (2), accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

(A) a plan of action detailing outreach initiatives;

(B) the approximate number of veterans the qualified organization intends to serve using grant funds;

(C) a description of the type of work that will be conducted, such as interior home modifications, energy efficiency improvements, and other similar categories of work; and

(D) a plan for working with the Department of Veterans Affairs and veterans service organizations to identify veterans and serve their needs.

(3) PREFERENCES.—In awarding grants under the pilot program, the Secretary shall give preference to a qualified organization—

(A) with experience in providing housing rehabilitation and modification services for disabled veterans; or

(B) that proposes to provide housing rehabilitation and modification services for eligible veterans who live in rural areas (the Secretary, through regulations, shall define the term ''rural areas'').

(c) CRITERIA.—In order to receive a grant award under the pilot program, a qualified organization shall meet the following criteria:

(1) Demonstrate expertise in providing housing rehabilitation and modification services for disabled or low-income individuals for the purpose of making the homes of such individuals accessible, functional, and safe for such individuals.

(2) Have established outreach initiatives that—

(A) would engage eligible veterans and veterans service organizations in projects utilizing grant funds under the pilot program; and

(B) identify eligible veterans and their families and enlist veterans involved in skilled trades, such as carpentry, roofing, plumbing, or HVAC work.

(3) Have an established nationwide or State-wide network of affiliates that are—

(A) nonprofit organizations; and

(B) able to provide housing rehabilitation and modification services for eligible veterans.

(4) Have experience in successfully carrying out the accountability and reporting requirements involved in the proper administration of grant funds, including funds provided by private entities or Federal, State, or local government entities.

(d) USE OF FUNDS.—A grant award under the pilot program shall be used—

(1) to modify and rehabilitate the primary residence of an eligible veteran, and may include—

(A) installing wheelchair ramps, widening exterior and interior doors, reconfigurating and re-equipping bathrooms (which includes installing new fixtures and grab bars), removing doorway thresholds, installing special lighting, adding additional electrical outlets and electrical service, and installing appropriate floor coverings to—

(i) accommodate the functional limitations that result from having a disability; or

(ii) if such residence does not have modifications necessary to reduce the chances that an elderly, but not disabled person, will fall in their home, reduce the risks of such an elderly person from falling;

(B) rehabilitating such residence that is in a state of interior or exterior disrepair; and

(C) installing energy efficient features or equipment if—

(i) an eligible veteran's monthly utility costs for such residence is more than 5 percent of such veteran's monthly income; and

(ii) an energy audit of such residence indicates that the installation of energy efficient features or equipment will reduce such costs by 10 percent or more;

(2) in connection with modification and rehabilitation services provided under the pilot program, to provide technical, administrative, and training support to an affiliate of a qualified organization receiving a grant under such pilot program; and

(3) for other purposes as the Secretary may prescribe through regulations.

(e) OVERSIGHT.—The Secretary shall direct the oversight of the grant funds for the pilot program so that such funds are used efficiently until expended to fulfill the purpose of addressing the adaptive housing needs of eligible veterans.

(f) MATCHING FUNDS.—

(1) IN GENERAL.—A qualified organization receiving a grant under the pilot program shall contribute towards the housing modification and rehabilitation services provided to eligible veterans an amount equal to not less than 50 percent of the grant award received by such organization.

(2) IN-KIND CONTRIBUTIONS.—In order to meet the requirement under paragraph (1), such organization may arrange for in-kind contributions.

(g) LIMITATION COST TO THE VETERANS.—A qualified organization receiving a grant under the pilot program shall modify or rehabilitate the primary residence of an eligible veteran at no cost to such veteran (including application fees) or at a cost such that such veteran pays no more than 30 percent of his or her income in housing costs during any month.

(h) REPORTS.—

(1) ANNUAL REPORT.—The Secretary shall submit to Congress, on an annual basis, a report that provides, with respect to the year for which such report is written—

(A) the number of eligible veterans provided assistance under the pilot program;

(B) the socioeconomic characteristics of such veterans, including their gender, age, race, and ethnicity;

(C) the total number, types, and locations of entities contracted under such program to administer the grant funding;

(D) the amount of matching funds and in-kind contributions raised with each grant;

(E) a description of the housing rehabilitation and modification services provided, costs saved, and actions taken under such program;

(F) a description of the outreach initiatives implemented by the Secretary to educate the general public and eligible entities about such program;

(G) a description of the outreach initiatives instituted by grant recipients to engage eligible veterans and veteran service organizations in projects utilizing grant funds under such program;

(H) a description of the outreach initiatives instituted by grant recipients to identify eligible veterans and their families; and

(I) any other information that the Secretary considers relevant in assessing such program.

(2) FINAL REPORT.—Not later than 6 months after the completion of the pilot program, the Secretary shall submit to Congress a report that provides such information that the Secretary considers relevant in assessing the pilot program.

(i) DEFINITIONS.—In this section, the following definitions shall apply:

(1) DISABLED.—The term ''disabled'' means an individual with a disability, as defined by section 12102 of title 42, United States Code.

(2) ELIGIBLE VETERAN.—The term ''eligible veteran'' means a disabled or low-income veteran.

(3) ENERGY EFFICIENT FEATURES OR EQUIPMENT.—The term ''energy efficient features or equipment'' means features of, or equipment in, a primary residence that help reduce the amount of electricity used to heat, cool, or ventilate such residence, including insulation, weatherstripping, air sealing, heating system repairs, duct sealing, or other measures.

(4) LOW-INCOME VETERAN.—The term ''low-income veteran'' means a veteran whose income does not exceed 80 percent of the median income for an area, as determined by the Secretary.

(5) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is—

(A) described in section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of such Code.

(6) PRIMARY RESIDENCE.—

(A) IN GENERAL.—The term ''primary residence'' means a single family house, a duplex, or a unit within a multiple-dwelling structure that is an eligible veteran's principal dwelling and is owned by such veteran or a family member of such veteran.

(B) FAMILY MEMBER DEFINED.—For purposes of this paragraph, the term ''family member'' includes—

(i) a spouse, child, grandchild, parent, or sibling;

(ii) a spouse of such a child, grandchild, parent, or sibling; or

(iii) any individual related by blood or affinity whose close association with a veteran is the equivalent of a family relationship.

(7) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means a nonprofit organization that provides nationwide or State-wide programs that primarily serve veterans or low-income individuals.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(9) VETERAN.—The term ''veteran'' has the same meaning as given such term in section 101 of title 38, United States Code.

(10) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for carrying out this section $4,000,000 for each of fiscal years 2013 through 2017.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. I yield myself such time as I may consume.

Mr. Speaker, I rise today as a cosponsor of H.R. 6361, the Vulnerable Veterans Housing Reform Act of 2012. I strongly urge my colleagues to support its passage.

Put simply, this legislation will ensure that we don't punish low-income disabled veterans who are seeking or receiving housing assistance simply because of their disability benefits.

Currently, if a veteran gets help with in-home care for their disability, that help is incorrectly calculated as income, which increases their housing costs.

For purposes of section 8 and public housing assistance, H.R. 6361 would exempt from a veteran's income his or her service-related disability benefits as well as expenses for in-home aid and care. It also reforms how section 8 and other housing programs calculate utility subsidies, and it awards grants to rehabilitate and modify homes for our disabled and low-income veterans.

As part of our effort to eliminate homelessness among veterans and help low-income veterans, our Financial Services Committee has closely examined the housing barriers facing disabled and low-income veterans. As recently as last week, we heard from veterans like Cassondra Flanagan of Philadelphia, who asked us specifically

to fix how government programs treat disability benefits in their financial assessments. H.R. 6361 would address her request by helping veterans overcome one of the key bureaucratic hassles that make it harder to find a secure and stable place to call home. That's why our legislation has broad, bipartisan support.

On September 12, 2012, the Financial Services Committee passed H.R. 6361 by a unanimous vote. In February, the Insurance, Housing and Community Opportunity Subcommittee also gave its approval to similar legislation as part of the Affordable Housing and Self-Sufficiency Improvement Act of 2012, a broader proposal to reform HUD's section 8 and public housing programs.

I'm also pleased that we were able to include in today's bill the language authored by Mr. GREEN of Texas so that additional assistance can be provided to those veterans who need home renovations to accommodate their disability.

While we can never repay our veterans for the selfless sacrifices they've made to defend the liberties we enjoy, we can work to ensure that they have a place to call home. We also can work to ensure that our severely disabled veterans have adequate facilities and living conditions within the comfort of their homes.

Mr. Speaker, our veterans have paid a high price to protect the American Dream, and they should have the opportunity to experience the blessings that dream represents.

I commend my colleague from Nevada (Mr. HECK) for introducing this bill. He's put a lot of work into this. I'd also like to recognize my colleague from Texas (Mr. GREEN) for his tremendous bipartisan work and his contribution to this bill. I also thank Chairman BACHUS for his hard work on this important measure.

Finally, I also would like to thank the American Legion, VetsFirst-United Spinal Association, Easter Seals, Paralyzed Veterans of America, Vietnam Veterans of America, and Veterans of Foreign Wars for their support of provisions in the bill.

With that, I urge my colleagues to support H.R. 6361, and I reserve the balance of my time.

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 6361, the Vulnerable Veterans Housing Reform Act.

This bill is aimed at helping some of those who most deserve and need our help, our severely disabled wartime veterans who are living with service-connected disabilities. It is designed to help that relatively small population of veterans who are disabled, impoverished, and in need of constant care due to their service wounds.

They are wounded warriors who now need assistance performing the basic functions of daily life, like the simple things that most of us take for granted and perform without second thought: bathing, feeding themselves, getting dressed. They put their lives on the line for us, and it is now our turn to see to it that they are afforded every opportunity to live a life of independence and self-sufficiency.

□ 1910

To this end, H.R. 6361 would exempt any expenses related to veterans and benefits from consideration when they are being considered for housing assistance. The fact that the benefits are currently counted as income is an obstacle for many of our military men and women. Let's take a hypothetical case and now look at how things stand now.

A single, severely disabled veteran with no dependents who has an adjusted gross annual income of less than $12,256 can receive up to an additional $8,191 in aid and attendance benefit each year to supplement the cost of their medical care. This fix will make it just a little bit easier for our veterans to qualify for the housing assistance they need and deserve. But this bill also makes changes to current utility allowances as part of section 8 public housing assistance. Under this bill, utility allowances would be calculated and capped based on family size rather than apartment size.

Our Financial Services Committee members have been hard at work adding hardship exemptions to protect people with disabilities, the elderly, and families with children by providing them with increased utility allowances, as needed.

I commend my colleagues for their bipartisan cooperation in finding a middle ground and a solution. I also congratulate my good friend and colleague, Congressman AL GREEN, for his contribution to this bill. He works tirelessly on behalf of our Nation's military men and has fought especially hard to get his HAVEN bill to the floor, despite it being folded into this bill.

The HAVEN bill would establish a pilot program to provide grant funding to rehabilitate and modify the homes of low-income or disabled veterans so that wheelchair ramps, repairs, and energy-efficient features can be put in place. Helping repair the homes of our veterans before they become too sick is not just a smart policy; it is our duty. We need to do all we can to keep our veterans self-sufficient and independent, and help them transition back into civilian life as seamlessly as possible.

I will vote ''yes'' on this bill, and I reserve the balance of my time.

Mrs. BIGGERT. I yield to the gentleman from Nevada (Mr. HECK), the author of this bill, for such time as he may consume.

Mr. HECK. I thank the gentlelady for yielding.

Mr. Speaker, I rise today to encourage my colleagues to support H.R. 6361, the Vulnerable Veterans Housing Reform Act of 2012.

As stated, this bill would remove an unnecessary barrier that prevents our disabled wartime veterans from receiving the housing assistance they so critically need. It does this by preventing the Department of Housing and Urban Development from considering our veterans' aid and attendance benefits as income when calculating their eligibility for housing assistance.

The aid and attendance benefit is an enhanced pension program provided by the Department of Veterans Affairs to our Nation's wartime veterans who are severely disabled and have little or no income. According to the VA, veterans eligible for the aid and attendance benefit are defined as those requiring the aid of another person in order to perform his or her activities of daily living, such as bathing, feeding, dressing, using the restroom, adjusting prosthetic devices, or protecting themselves from the hazards of their daily environment.

In order to receive this benefit, our severely disabled veterans must first establish their eligibility for a low-income pension. Once eligibility is determined, those low-income disabled vets can receive an additional aid and attendance benefit annually to help defray the cost of their medical care. Now, this is an important point. The aid and attendance benefit is for medical care; it is not discretionary income.

As you can imagine, these veterans struggle daily to keep the lights on, put food on the table, and to keep a roof over their heads. Add to that the exorbitant cost of paying for live-in aid, and it becomes increasingly difficult for them to stay in their homes.

The Department of Housing and Urban Development operates a number of programs that can assist these veterans. However, the current statute requires that the aid and attendance benefit be counted as income when determining eligibility for housing assistance. Mr. Speaker, this makes no sense. The VA provides this benefit to ensure that our low-income disabled wartime veterans have the necessary resources to receive the medical care they need and have earned.

The cost of an assisted living facility can be $39,600, and the median cost of a room in a nursing home is between $73,000 and $81,000 annually. By providing the aid and attendance benefit and keeping the veteran in their home, we are doing them a service and saving taxpayer money. Continuing to count the aid and attendance benefit as income does nothing more than reduce the housing assistance available to our low-income disabled vets.

Mr. Speaker, it's the stated goal of both this House and this administration to reduce homelessness in our veteran population. Passing this legislation will help ensure that we achieve this goal.

H.R. 6361 also includes an important provision authored by my distinguished colleague from the Ninth District of Texas, Congressman AL GREEN. His provision would create a pilot program to provide grants to qualified

nonprofit organizations for the purpose of modifying and rehabilitating homes for our Nation's low-income disabled veterans.

H.R. 6361 was drafted in a bipartisan manner, and this is reflected in the overwhelming support it received when it was reported unanimously by the House Financial Services Committee on September 12, 2012.

Mr. Speaker, H.R. 6361 will go a long way in providing the services and assistance our low-income disabled vets have earned and deserve. I thank the subcommittee chair, the distinguished lady from Illinois, and all the members of the committee for their support of this legislation, and I urge my colleagues to support this critical bill.

Mrs. MALONEY. I would like to compliment the gentleman on his statement and point out that across the country one of the largest groups of people that are homeless are veterans, and this particular bill has the right incentives to direct the housing assistance to our veterans and help to keep them in their homes.

I have no other speakers at this time, so I yield back the balance of my time.

Mrs. BIGGERT. I have no further speakers, either, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 6361, as amended.

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

A motion to reconsider was laid on the table.

PROVIDING FLEXIBILITY FOR ASSISTANCE PROVIDED BY INTERNATIONAL FINANCIAL INSTITUTIONS FOR BURMA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6431) to provide flexibility with respect to U.S. support for assistance provided by international financial institutions for Burma, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6431

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

SECTION 1. INTERNATIONAL FINANCIAL INSTITUTIONS.

Upon a determination by the President that it is in the national interest of the United States to support assistance for Burma, the Secretary of the Treasury may instruct the United States Executive Director at any international financial institution to vote in favor of the provision of assistance for Burma by the institution, notwithstanding any other provision of law. The President shall provide the appropriate congressional committees with a written notice of any such determination.

SEC. 2. CONSULTATION AND NOTIFICATION REQUIREMENT.

(a) Prior to making the determination contained in section 1, the Secretary of State and the Secretary of the Treasury each shall consult with the appropriate congressional committees on assistance to be provided to Burma by an international financial institution, and the national interests served by such assistance.

(b) The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution that the United States Executive Director may not vote in favor of any provision of assistance by the institution to Burma until at least 15 days has elapsed from the date on which the President has provided notice pursuant to section 1.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term ''appropriate congressional committees'' means the Committees on Foreign Relations, Banking, Housing, and Urban Affairs, and Appropriations of the Senate, and the Committees on Financial Services, Foreign Affairs, and Appropriations of the House of Representatives.

(2) The term ''assistance'' means any loan or financial or technical assistance, or any other use of funds.

(3) The term ''international financial institution'' shall have the same meaning as contained in section 7029(d) of division I of Public Law 112–74.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material into the RECORD on this measure.

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

There was no objection.

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

This afternoon, Congress was finally able to present Aung San Suu Kyi the Congressional Gold Medal. Congress' highest medal was awarded for her courageous and unwavering commitment to peace, to nonviolence, to human rights, and of course to democracy in Burma. I was an original cosponsor of Mr. CROWLEY's legislation that set the stage for today's ceremony.

□ 1920

Of course, that legislation passed years ago, back in 2008, when Aung San Suu Kyi's house was her prison. Many thought, of course, that this day today would never come. That she was able to visit Capitol Hill today to accept this award, meeting with Members of Congress, is a testament of the changes taking place in her important country. The opposition has won seats in Parliament. Media restrictions have been eased. Hundreds of prisoners, including many this week, have been released.

Congress can be proud of the role that it has played in getting Burma to this point. Sanctions were important, but sanctions can't keep up the momentum for democracy in Burma today. That was the message that Aung San Suu Kyi delivered in Washington. Instead, she emphasized the role that the U.S. can play in helping to build up the institutions that Burma badly needs.

This country, once Southeast Asia's richest country, is now its poorest. Its corrupt and brutal generals have destroyed the economic landscape of Burma. The Burmese people are destitute. Democracy will not thrive in this economic despair.

Isolated for decades, the institutions Burma needs to run an economy are either very weak or they do not exist. International financial institutions could help Burma establish the economic infrastructure needed to reconnect with the world. This assistance also can help the Burmese with their basic needs. Without this in place, the potential for political backsliding is real.

However, several laws on our books direct the U.S. representative at each international financial institution to vote ''no'' when it comes to any proposal related to Burma. There is no waiver, which is very unusual when it comes to sanctions.

I'd note that a U.S. ''no'' vote is not a veto. It doesn't stop these institutions from being involved with Burma. It just stops us from being part of the process.

So we have to ask ourselves, when are the interests of the U.S. and the Burmese people best served? When the U.S. is playing a leading role, helping to shape these institutions' involvement with Burma, or are they best served when the U.S. representative is shut out of the room, left with only one option?

This legislation gives more options: yes, no, or abstain. When U.S. support is possible, that gives us leverage. We have great weight at these institutions, even while they are mainly funded by others.

Like other Members, I'm not happy with where Burma is today. I want all political prisoners released. There is too much ethnic violence.

This bill doesn't touch the import ban or asset freezes, of course, and those are targeted at the regime. The Treasury Department should use its authority to target any individual that is undermining progress in Burma.

This legislation is license to bolster reform, where appropriate and where possible, not a seal of approval. Given where Burma is today, it's appropriate that Congress respond in this way to ensure that the U.S. is in a position to continue to press for reforms.

Moving forward, Congress will need to ensure that these financial institutions are pushing stringent transparency and monitoring its impact on human rights. Those goals, which we all share, are best advanced by adopting this legislation.

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

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 6431 and yield myself such time as I may consume.

Currently, congressional mandates require that the U.S. representative must vote ''no'' on any proposed assistance going from an international financial institution to Burma. This bill before us today would change that. It would allow the Secretary of the Treasury to instruct our executive directors at the World Bank, the Asian Development Bank, and the IMF to support proposed assistance to Burma, if the President determines that it is in our national interest.

This flexibility will be needed in the coming months. There will likely be some important votes coming up at the World Bank and the Asian Development Bank on development projects and arrears clearance packages for Burma. Binding the U.S. representative to always vote ''no'' on such measures would work directly against our hope of engaging Burma and supporting her democratic reforms, and that's why I strongly support this bill.

The economic and political reforms in Burma show great promise. That is why the United States lifted the sanctions on investment in Burma back in July. And the right thing to do now is to support development and economic aid to Burma through the international financial institutions.

Both multilateral development and humanitarian assistance are important now because Burma needs both long-term and short-term results. Her people need to see that a democracy has tangible positive impacts on their everyday lives.

It is not just in the best interests of the Burmese people that they continue to support the democratic and economic reforms in the country; it is in the interest of the United States as well. And I would say that it's in the world's best interest, too.

It was a great honor today to welcome Aung San Suu Kyi to the Capitol. She is a courageous woman of matchless strength and towering integrity.

I congratulate her on receiving the Congressional Gold Medal, the highest award that we can give anyone, which she so richly deserves. She honors us by her presence and her acceptance of this award.

Her unshakeable conviction that democratic values and fundamental human rights were not only possible but absolutely necessary for Burma provided her country with a model of courage and perseverance that helped to sustain it throughout the most difficult years.

We congratulate her. We thank her. And I want to let her know that she is a very special heroine to me, and that we remain strongly committed to the cause of reform in her country and to supporting not only her country, but her people.

Aung San Suu Kyi has said that aid and investment in Burma must be done in a way that is democracy friendly. She describes that as investments that prioritize transparency, accountability, workers' rights, and environmental sustainability. Aung San Suu Kyi has also said that the government needs to apply internationally recognized standards such as the IMF Code of Good Practices on Fiscal Transparency. I agree with her wholeheartedly on both of these issues.

As the international financial institutions move to reengage in Burma and we move through this piece of legislation in support of that engagement, I urge the administration to use its leadership at the IFIs to ensure that assistance to Burma supports democratic reforms, ensures an open and transparent government, and establishes safeguards that support growth, alleviates poverty, and safeguards the rights of the people.

There is a tide in the affairs of nations that, taken at the flood, can lead to greatness. And this is such a moment of political and economic import for Burma.

I urge my colleagues to support this bill and to continue to support the efforts of the people of Burma towards the establishment of a truly just and democratic society.

I reserve the balance of my time.

Mr. ROYCE. We have no further speakers. I will close, if the gentlelady has no additional speakers.

Mrs. MALONEY. I have no additional speakers and yield back the balance of my time.

Mr. ROYCE. Very good. In that case, I thank the gentlelady.

Mr. Speaker, it is said that Burma is undergoing a triple transition, from a military government to a more open and democratic government. Also, it's moving from conflict to peace, and it's moving from a closed economy to a more open economy. All three of these transitions, of course, are equally daunting.

Aung San Suu Kyi's visit to the United States tells us just how far this country has come, but she also reminds us how far Burma has left to go.

So our responsibility is to keep pushing Burma in the right direction, pushing it in the right direction so that all political prisoners are freed and so that a fully democratic government respects the rights of all of its people, including its ethnic minorities.

□ 1930

This legislation is an appropriate response to ensure that Burma continues moving in the right direction.

I urge the passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 6431.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CLARIFYING PROVISIONS RELATING TO REGULATION OF MUNICIPAL ADVISORS

Mr. DOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2827) to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2827

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

SEC. 1. REGISTRATION OF MUNICIPAL SECURITIES DEALERS.

Section 15B(a)(1)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(a)(1)(B)) is amended by striking ''or on behalf of''.

SEC. 2. MUNICIPAL SECURITIES RULEMAKING BOARD; RULES AND REGULATIONS.

Section 15B(b)(2)(L) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(b)(2)(L)) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(v) not regulate as a municipal advisor the activities of a person referred to in subparagraph (C) of subsection (e)(4), to the extent that such activities are described under such subparagraph.''.

SEC. 3. DISCIPLINE OF MUNICIPAL SECURITIES DEALERS; CENSURE; SUSPENSION OR REVOCATION OF REGISTRATION.

(a) IN GENERAL.—Section 15B(c)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(c)(1)) is amended to read as follows:

''(1) No broker, dealer, or municipal securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, any municipal security, and no broker, dealer, municipal securities dealer, or municipal advisor shall make use of the mails or any means or instrumentality of interstate commerce to provide advice to or on behalf of a municipal entity or obligated person with respect to municipal financial products, the issuance of municipal securities, or to undertake a solicitation of a municipal entity or obligated person, in contravention of any rule of the Board. A municipal advisor, when acting pursuant to an engagement described in subsection (e)(4)(A)(i), and any person associated with such municipal advisor, shall be deemed to have a fiduciary duty with respect to such engagement to any municipal entity for whom such municipal advisor acts as a municipal advisor, and no municipal advisor may engage in any act, practice, or course of business which is not consistent with such municipal advisor's fiduciary duty or that is in contravention of any rule of the Board. In issuing regulations to carry out the previous sentence and subsection (b)(2)(L)(i), the Board shall—

''(A) require that a municipal advisor act in accordance with its fiduciary duty to its municipal entity clients, but only in connection with those specific activities involving such municipal entity client described under subsection (e)(4)(A)(i) (and not excluded under subsection (e)(4)(C));

''(B) specify when such duties begin and terminate in relation to such activities; and

''(C) not prohibit principal transactions by municipal advisors or the receipt of compensation based on commissions or other

standard compensation in relation to the purchase or sale of a security or other instrument (including deposit or foreign exchange), except that the Board—

''(i) may issue rules requiring a municipal advisor to only engage in such transactions or receive such compensation in a manner that is consistent with the municipal advisor's fiduciary duty; and

''(ii) may prohibit a municipal advisor that has been engaged to provide advice with respect to an underwritten offering of securities from concurrently acting as an underwriter of such offering.''.

(b) TECHNICAL CORRECTION.—

(1) IN GENERAL.—Section 975(c)(5) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended to read as follows:

''(5) in paragraph (4), by inserting 'or municipal advisor' after 'municipal securities dealer' each place that term appears;''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act, as if included in such Act.

SEC. 4. DEFINITION OF INVESTMENT STRATEGIES.

Section 15B(e)(3) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)(3)) is amended to read as follows:

''(3) the term 'investment strategies'—

''(A) means plans or programs for the investment of the direct proceeds of municipal securities (but not other public funds) that are not municipal derivatives or guaranteed investment contracts, and the recommendation of and brokerage of municipal escrow investments, where, with respect to the municipal advisor offering such plans, programs, or recommendations, such proceeds of municipal securities and municipal escrow investments—

''(i) are known or should be known to the municipal advisor to be comprised of funds or investments maintained in a segregated account that is exclusively for the purpose of maintaining such proceeds or escrow investment; or

''(ii) have been identified to the municipal advisor, in writing, as funds or investments that constitute the proceeds of municipal securities or municipal escrow investments; and

''(B) does not include—

''(i) merely acting as a broker or principal with respect to the purchase or sale of a security or other instrument (including deposit or foreign exchange);

''(ii) providing a list of, or price quotations for, investment options or securities or other instruments which may be available for purchase or investment or which satisfy investment criteria specified by a municipal entity;

''(iii) acting as a custodian;

''(iv) providing generalized information concerning investments which are not tailored to the specific investment objectives of the municipal entity; or

''(v) providing advice with respect to matters other than the investment of funds or financial products;''.

SECTION 5. DEFINITION OF MUNICIPAL ADVISOR.

Section 15B(e)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)(4)) is amended to read as follows:

''(4) the term 'municipal advisor'—

''(A) means a person (who is not a municipal entity or obligated person, or an employee of a municipal entity or obligated person) that—

''(i) is engaged, for compensation, by a municipal entity or obligated person to provide advice to a municipal entity or obligated person with respect to municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, and other similar matters concerning such financial products or issues; or

''(ii) undertakes a solicitation of a municipal entity;

''(B) includes financial advisors, guaranteed investment contract brokers, third-party marketers, placement agents, solicitors, finders, and swap advisors, if such persons are described in either of clauses (i) or (ii) of subparagraph (A) and are not excluded under subparagraph (C); and

''(C) does not include, solely as a result of their performing the following activities—

''(i) any broker, dealer, or municipal securities dealer registered with the Commission, to the extent that such broker, dealer, or municipal securities dealer is serving or is seeking to serve as an underwriter, placement agent, remarketing agent, dealer-manager, or in a similar capacity, or is providing advice related to or in connection with any such activities and not for separate compensation, or any person associated with such a broker, dealer, or municipal securities dealer;

''(ii) an investment adviser registered under the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) or with any State or territory of the United States that is providing investment advice (whether or not of a type that would subject a person to registration under such Act), or any person associated with such an investment adviser;

''(iii) any person registered under the Commodity Exchange Act (7 U.S.C. 1 et seq.) or this Act in relation to such person's activities with respect to swaps or security-based swaps that is providing advice related to swaps or security-based swaps, or providing advice that is related to or in connection with any such activities and not for separate compensation, or any person associated with such person;

''(iv) a financial institution engaging in any of the activities referred to in clause (i), (ii), or (iii) pursuant to an exemption from registration, acting as a dealer or principal with respect to deposits, foreign exchange, or identified banking products (as defined in paragraphs (1) through (5) of section 206(a) of the Gramm-Leach-Bliley Act (15 U.S.C. 78c(a))), providing other traditional banking or trust services otherwise subject to a fiduciary duty under State or Federal law, providing administrative or operational services or support, or providing advice that is related to or in connection with any such activities and not for separate compensation;

''(v) any person subject to regulation by a State insurance regulator providing insurance products or services or providing advice that is related to or in connection with any such activities and not for separate compensation;

''(vi) an accountant (or person associated with such accountant) providing customary and usual accounting services, including any attestation or audit service or issuing letters for underwriters for a municipal entity or providing advice that is related to or in connection with any such activities and not for separate compensation;

''(vii) any attorney offering legal advice or providing services that are of a traditional legal nature;

''(viii) an engineer providing engineering advice; or

''(ix) any elected or appointed member of a governing body of a municipal entity or obligated person, with respect to such member's role on the governing body;''.

SEC. 6. DEFINITION OF SOLICITATION OF A MUNICIPAL ENTITY OR OBLIGATED PERSON.

Section 15B(e)(9) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)(9)) is amended by striking ''or on behalf of a municipal entity; and'' and inserting the following: ''a municipal entity, but communications on behalf of a fund or other collective investment vehicle shall not be deemed to be on behalf of any investment adviser that advises or manages such fund or investment vehicle;''.

SEC. 7. DEFINITION OF MUNICIPAL DERIVATIVE.

Section 15B(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)) is amended—

(1) in paragraph (10), by striking the period on the end and inserting a semicolon; and

(2) by adding at the end the following:

''(11) the term 'municipal derivative' means a swap or security-based swap in which a municipal entity is a counterparty; and''.

SEC. 8. DEFINITION OF ON BEHALF OF.

Section 15B(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-4(e)), as amended by section 7, is further amended by adding at the end the following:

''(12) the term to provide advice 'on behalf of a municipal entity or obligated person' means to provide advice to a person that is known to be engaged by a municipal entity or obligated person to provide services to such municipal entity or obligated person in connection with the issuance of municipal securities.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DOLD) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

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

There was no objection.

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

I rise today in support of H.R. 2827, which would clarify the definition of a ''municipal adviser'' to reflect the intent of the United States Congress. This bill received unanimous support and passed out of the Financial Services Committee with a vote of 60–0. I would like to urge my colleagues to support this important bipartisan legislation.

Municipal advisers are consultants who advise local municipalities about bond issuances, bond-proceed investment, financial derivative uses, and other financial matters. Like traditional financial advisers, municipal advisers must comply with an existing legal and regulatory framework while owing their clients a fiduciary duty.

But before Dodd-Frank, certain municipal advisers were not subject to any regulations—State, Federal or otherwise. Obviously, this legal and unjustified discrepancy between regulated and unregulated municipal advisers created a significant and, I would

argue, unfair competitive advantage in favor of the unregulated municipal advisers.

Even more importantly, the regulatory gap gave a few bad actors the opportunity to take advantage of the State and local government officials who, like most people, aren't familiar with advanced and technical financial products. Dodd-Frank section 975 addressed this problem by requiring these unregulated advisers to register with the SEC and to follow rules written by the Municipal Securities Rulemaking Board.

The provisions generally have bipartisan political support as well as widespread industry support. However, most of us, both Republicans and Democrats, believe that the SEC's interpretation of the law has gone far beyond what Congress intended by, among other things, requiring volunteer members of local governing boards, engineers providing technical and comparative analysis, and bank tellers to register with the SEC as municipal advisers. In response to its proposal, the SEC received over 1,000 comment letters from across the industry that were overwhelmingly critical of the proposed rule.

This is why I introduced H.R. 2827. H.R. 2827 takes important steps to address these widely acknowledged concerns and specifies the scope and limits of Dodd-Frank's municipal adviser provisions.

After introducing our original version of H.R. 2827, we asked everyone on both sides of the aisle—and industry participants as well with a wide variety of perspectives—to give us their comments and suggestions for improving the legislation. My colleague and cosponsor from Wisconsin (Ms. MOORE) and I have spent countless hours working and listening to all concerned parties to ensure that we have fully considered all the viewpoints in order to come up with the best possible legislation that could also pass with broad bipartisan support. At this time, I certainly want to thank her for all of her efforts.

Mr. Speaker, there were two concerns about the original version of H.R. 2827 that were the most significant. The first was that the original version of the bill would strike the Federal fiduciary duty for municipal advisers, leaving in place just the State-based fiduciary duty standards. Second, even when explicitly engaged to provide municipal adviser services, the original bill would have excluded certain parties from regulation as municipal advisers.

During the subcommittee markup, Ms. MOORE and I articulated our plan for going forward with the legislation, and we invited more comments and suggestions from industry and all concerned parties. We were very pleased with the genuine engagement of the parties from across the industry and with their willingness to generously share their time, experience, effort, and knowledge with us. All of these contributions ultimately produced a better and stronger amended bill. We believe that this new version of the bill addresses the points raised since the subcommittee markup while still maintaining our broad coalition of bipartisan supporters.

This new bill preserves the Federal fiduciary standard and removes the blanket status exemptions while still maintaining a bright-line municipal adviser definition. It protects issuers by establishing clear lines and rules for municipal advisory activity and provides clarity in the marketplace.

In addition to the amendment's substance, I am very proud of the process that we've been able to undertake to get us to this point. I would like to thank my colleague again, Ms. MOORE, and her staff for working with me and my staff, and I thank all of those who worked with us to get us to where we are in this process. They were so generous in sharing their time, and I am confident that what we have is a good bill with which we can move forward. Again, I urge my colleagues to support H.R. 2827.

With that, I reserve the balance of my time.

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

I think Mr. DOLD has dealt very well with very many of the specifics of H.R. 2827 relating to the regulations of municipal advisers. So, before I lose people, I want to briefly talk about the process that brought the bill to this point, and I want to thank a lot of people for their contributions to the final legislation.

As you've heard, the bill that passed the Financial Services Committee by 60–0 reflects the legislative process at its absolute best. It was a collaborative effort between Republicans and Democrats, issuers and market participants, and very, very diligent staffers on both sides of the aisle. If there is a single element that is most responsible for the bill's getting to this point, it is the integrity of the people involved. It speaks to their professionalism in that they stayed at the table and negotiated with the singular purpose of getting to the best result for the municipal market. There were times when the issues were tough and the disagreements real. There were times when it would have been very easy for people to just give up and walk away.

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But to the credit of all involved, everyone kept talking and kept searching for solutions.

Mr. DOLD deserves a tremendous amount of credit for his leadership of this bill. He was consistently willing to engage tough issues in an open and thoughtful manner. I would also like to thank all of my colleagues on the committee, Republican and Democrat alike, for their invaluable input as we negotiated the bill. Finally, I think it is important that I mention the important contributions of Mr. FRANK and Ms. WATERS. At many critical points, both were instrumental in providing guidance.

H.R. 2827, which passed the House Financial Services Committee 60–0, almost didn't pass at all as there was so much confusion generated from the SEC promulgating a rule that initially was very confusing. It's only the second legislative effort related to Dodd-Frank to pass the committee unanimously.

Prior to the passage of Dodd-Frank, non-dealer advisers to municipal governments were unregulated. These unregulated parties were involved in a number of municipal market scandals that ultimately defrauded taxpayers. Section 975 brings municipal financial advisers, swap advisers, placement agents, and GIC brokers under Federal securities law. It is a goal that is not partisan.

Unfortunately, in 2010, the SEC released a proposed rulemaking related to section 975 that created massive confusion in the municipal market regarding how section 975 would be applied in the real world. H.R. 2827 seeks to clarify section 975 to provide certainty to the market so that the rules can be implemented and taxpayers can benefit from the protection it brings. This bill takes a fundamentally different approach from the SEC and the definition of municipal advisers. It makes ''municipal adviser'' an exclusionary definition, rather than trying to outline and define certain transactions which end up being very vague and overly broad.

Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentlewoman from Wisconsin has 16 minutes remaining.

Ms. MOORE. It doesn't unnecessarily sweep in the universe of other professionals or impinge on the relationships of issuers and other market participants engaged in legitimate and necessary market activities like underwriting, providing accounting services, engineering advice, or offering traditional deposits and cash-management services to municipalities. It is a straightforward approach that effectuates the goals of 975 while meeting the real world needs of market participants.

I want to urge all my colleagues to support this important regulatory legislation. Again, I cannot thank the participants enough who participated in this bill.

With that, I reserve the balance of my time.

Mr. DOLD. Mr. Speaker, I just want to again thank the gentlelady for her help and support with regard to this process which, as she aptly points out, was at times a little strenuous; but I believe in the end we were able to come together in a bipartisan fashion to produce what I hope is quality legislation that will be better for municipal advisers all across the country.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 2827 and commend my good friends and colleagues, Ms. MOORE and Mr. DOLD and Ranking Member FRANK, and everyone else who worked very hard on this bill and for their willingness to work in a bipartisan way.

It is helpful to recall that the original Dodd-Frank regulations relating to municipal bond advisers only came about because of a number of manmade financial disasters involving municipalities and their advisers who were unregulated. It was just about a year ago that Jefferson County, Alabama, filed the biggest municipal bankruptcy in U.S. history. They joined the ranks of 11 other entities to file a chapter 9 bankruptcy that year, including Boise County, Idaho; Central Falls, Rhode Island; and Harrisonburg, Pennsylvania. They all had unique problems, but one of the things that they had in common was that they got some pretty costly advice, and it will haunt taxpayers for years.

This was an area that was completely unregulated before the financial crisis; and the Dodd-Frank reforms, including the municipal adviser registration requirement, were enacted to respond to those crises. The Dodd-Frank reforms require individuals who advise municipalities to register with the SEC and be subject to regulation by the Municipal Securities Rulemaking Board. This is a very good thing, but most of us agree that the SEC's proposed original rule went just a little bit too far and made the definition of a municipal adviser a little bit too broad. It was defined in a way that could have potentially captured those who were not actually providing investment advice.

For example, I know many institutions were concerned that under the SEC's proposed rule merely providing a bank account to a municipality could mean that an institution would have to register as an adviser and be subject to MSRB regulation all because they just provided basic banking services. As someone who was there during the consideration of Dodd-Frank, I can tell you that that was not what Congress intended; however, I was concerned that the original version of this bill went too far in the other direction, and that could have opened up such a gaping hole you could have driven a truck full of other people's money through it. I was concerned that the draft bill eliminated the critical fiduciary duty standard that we included in Dodd-Frank. The fiduciary duty is a vital element that ensures that the advisers provide advise that is in the best interest of the municipality.

I think that with this revised bill we have struck a good balance. Fiduciary duty is back in, and unintended capture is out. The revised language clearly and reasonably defines the activities that municipal advisers engage in and describes the kinds of advice that they provide. This bill now gives clear legislative guidance to ensure that the goal of heightened supervision of municipal advisers is realized. It keeps taxpayers a little bit safer, credit markets more stable, and regulations a bit fair.

All in all, I would say that it is a job well done, done in a bipartisan spirit with a great deal of time and commitment. I commend the two major sponsors who are speaking with us today; and I thank my good friend, GWEN MOORE, for her work on this bill.

Ms. MOORE. I thank the gentlewoman from New York.

I just want to say again that I think we need to credit Mr. DOLD, who is a fairly new Member. We actually listened to Members who were senior Members and didn't base it on our partisan differences as so often occurs. We really respected people's experience, and listened to their advice very earnestly.

Again, I would urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. DOLD. Mr. Speaker, I don't have any other speakers, but I do want to wrap up with a couple of thank-yous.

I certainly want to thank Chairman BACHUS for allowing this markup to move forward, and I certainly appreciated his help and support. I want to again highlight how this was able to move forward in a bipartisan fashion, and I certainly want to thank my good friend, Ms. MOORE from Wisconsin, for all of her work and efforts to work with me on what I hope is going to be a bill that everyone here in this Chamber will support.

With that, Mr. Speaker, I ask every one of my colleagues on both sides of the aisle to support H.R. 2827, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DOLD) that the House suspend the rules and pass the bill, H.R. 2827, as amended.

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

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 118, DISAPPROVING RULE RELATING TO WAIVER AND EXPENDITURE AUTHORITY WITH RESPECT TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM; PROVIDING FOR CONSIDERATION OF H.R. 3409, STOP THE WAR ON COAL ACT OF 2012; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 22, 2012, THROUGH NOVEMBER 12, 2012

Mr. BISHOP of Utah (during consideration of H.R. 2827), from the Committee on Rules, submitted a privileged report (Rept. No. 112–680) on the resolution (H. Res. 788) providing for consideration of the joint resolution (H.J. Res. 118) 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; providing for consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977; and providing for proceedings during the period from September 22, 2012, through November 12, 2012, which was referred to the House Calendar and ordered to be printed.

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MANHATTAN PROJECT NATIONAL HISTORICAL PARK ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5987) to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5987

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Manhattan Project National Historical Park Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Manhattan Project was an unprecedented top-secret program implemented during World War II to produce an atomic bomb before Nazi Germany;

(2) a panel of experts convened by the President's Advisory Council on Historic Preservation in 2001—

(A) stated that ''the development and use of the atomic bomb during World War II has been called 'the single most significant event of the 20th century' ''; and

(B) recommended that nationally significant sites associated with the Manhattan Project be formally established as a collective unit and be administered for preservation, commemoration, and public interpretation in cooperation with the National Park Service;

(3) the Manhattan Project National Historical Park Study Act (Public Law 108–340; 118 Stat. 1362) directed the Secretary of the Interior, in consultation with the Secretary of Energy, to conduct a special resource study of the historically significant sites associated with the Manhattan Project to assess the national significance, suitability, and feasibility of designating one or more sites as a unit of the National Park System;

(4) after significant public input, the National Park Service study found that ''including Manhattan Project-related sites in

the national park system will expand and enhance the protection and preservation of such resources and provide for comprehensive interpretation and public understanding of this nationally significant story in the 20th century American history'';

(5) the Department of the Interior, with the concurrence of the Department of Energy, recommended the establishment of a Manhattan Project National Historical Park comprised of resources at—

(A) Oak Ridge, Tennessee;

(B) Los Alamos, New Mexico; and

(C) Hanford, in the Tri-Cities area, Washington; and

(6) designation of a Manhattan Project National Historical Park as a unit of the National Park System would improve the preservation of, interpretation of, and access to the nationally significant historic resources associated with the Manhattan Project for present and future generations to gain a better understanding of the Manhattan Project, including the significant, far-reaching, and complex legacy of the Manhattan Project.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to preserve and protect for the benefit of present and future generations the nationally significant historic resources associated with the Manhattan Project;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

SEC. 4. DEFINITIONS.

In this Act:

(1) HISTORICAL PARK.—The term ''Historical Park'' means the Manhattan Project National Historical Park established under section 5.

(2) MANHATTAN PROJECT.—The term ''Manhattan Project'' means the Federal program to develop an atomic bomb ending on December 31, 1946.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 5. ESTABLISHMENT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—

(1) DATE.—Not later than 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Manhattan Project National Historical Park.

(2) AREAS INCLUDED.—The Historical Park shall consist of facilities and areas listed under subsection (b) as determined by the Secretary, in consultation with the Secretary of Energy. The Secretary shall include the area referred to in subsection (b)(3)(A), the B Reactor National Historic Landmark, in the Historical Park.

(b) ELIGIBLE AREAS.—The Historical Park may only be comprised of one or more of the following areas, or portions of the areas, as generally depicted in the map titled ''Manhattan Project National Historical Park Sites'', numbered 540/108,834-C, and dated September 2012:

(1) OAK RIDGE, TENNESSEE.—Facilities, land, or interests in land that are—

(A) at Buildings 9204–3 and 9731 at the Y–12 National Security Complex;

(B) at the X–10 Graphite Reactor at the Oak Ridge National Laboratory;

(C) at the K–25 Building site at the East Tennessee Technology Park; and

(D) at the former Guest House located at 210 East Madison Road.

(2) LOS ALAMOS, NEW MEXICO.—Facilities, land, or interests in land that are—

(A) in the Los Alamos Scientific Laboratory National Historic Landmark District, or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA–UR 12–00387 (January 26, 2012);

(B) at the former East Cafeteria located at 1670 Nectar Street; and

(C) at the former dormitory located at 1725 17th Street.

(3) HANFORD, WASHINGTON.—Facilities, land, or interests in land that are—

(A) the B Reactor National Historic Landmark;

(B) the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(C) the White Bluffs Bank building in the White Bluffs Historic District;

(D) the warehouse at the Bruggemann's Agricultural Complex;

(E) the Hanford Irrigation District Pump House; and

(F) the T Plant (221–T Process Building).

(c) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Historical Park without the written consent of the owner.

SEC. 6. AGREEMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Los Alamos, and Richland site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is to be included in the Historical Park under section 5(b), including provisions for enhanced public access, management, interpretation, and historic preservation.

(b) RESPONSIBILITIES OF THE SECRETARY.—Any agreement under subsection (a) shall provide that the Secretary shall—

(1) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and

(2) ensure that the agreement provides an appropriate advisory role for the National Park Service in preserving the historic resources covered by the agreement.

(c) RESPONSIBILITIES OF THE SECRETARY OF ENERGY.—Any agreement under subsection (a) shall provide that the Secretary of Energy—

(1) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Oak Ridge Reservation, Los Alamos National Laboratory, and Hanford Site;

(2) may consult with and provide historical information to the Secretary concerning the Manhattan Project;

(3) shall retain responsibility, in accordance with applicable law, for any environmental remediation that may be necessary in or around the facilities, land, or interests in land governed by the agreement; and

(4) shall retain authority and legal obligations for historic preservation and general maintenance, including to ensure safe access, in connection with the Department's Manhattan Project resources.

(d) AMENDMENTS.—The agreement under subsection (a) may be amended, including to add to the Historical Park facilities, land, or interests in land within the eligible areas described in section 5(b) that are under the jurisdiction of the Secretary of Energy.

SEC. 7. PUBLIC PARTICIPATION.

(a) IN GENERAL.—The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

(1) before executing any agreement under section 6; and

(2) in the development of the general management plan under section 8(b).

(b) NOTICE OF DETERMINATION.—Not later than 30 days after the date on which an agreement under section 6 is entered into, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(c) AVAILABILITY OF MAP.—The official boundary map published under subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service. The map shall be updated to reflect any additions to the Historical Park from eligible areas described in section 5(b).

(d) ADDITIONS.—Any land, interest in land, or facility within the eligible areas described in section 5(b) that is acquired by the Secretary or included in an amendment to the agreement under section 6(d) shall be added to the Historical Park.

SEC. 8. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the Historical Park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) GENERAL MANAGEMENT PLAN.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary, with the concurrence of the Secretary of Energy, and in consultation and collaboration with the Oak Ridge, Los Alamos and Richland Department of Energy site offices, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law 91–383 (commonly known as the ''National Park Service General Authorities Act'') (16 U.S.C. 1a–7(b)).

(c) INTERPRETIVE TOURS.—The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(d) LAND ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire land and interests in land within the eligible areas described in section 5(b) by—

(A) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy;

(B) donation; or

(C) exchange.

(2) NO USE OF CONDEMNATION.—The Secretary may not acquire by condemnation any land or interest in land under this Act or for the purposes of this Act.

(e) DONATIONS; COOPERATIVE AGREEMENTS.—

(1) FEDERAL FACILITIES.—

(A) IN GENERAL.—The Secretary may enter into one or more agreements with the head of a Federal agency to provide public access

to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(B) DONATIONS; COOPERATIVE AGREEMENTS.—The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under subparagraph (A) or to provide visitor services and administrative facilities within reasonable proximity to the Historical Park.

(2) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(3) DONATIONS TO DEPARTMENT OF ENERGY.—For the purposes of this Act, or for the purpose of preserving and providing access to historically significant Manhattan Project resources, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

SEC. 9. CLARIFICATION.

(a) NO BUFFER ZONE CREATED.—Nothing in this Act, the establishment of the Historical Park, or the management plan for the Historical Park shall be construed to create buffer zones outside of the Historical Park. That an activity can be seen and heard from within the Historical Park shall not preclude the conduct of that activity or use outside the Historical Park.

(b) NO CAUSE OF ACTION.—Nothing in this Act shall constitute a cause of action with respect to activities outside or adjacent to the established boundary of the Historical Park.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, H.R. 5987 is a bipartisan bill authored by me that will establish the Manhattan Project National Historical Park. Mr. Speaker, there is a like bill, a bipartisan bill, also pending in the Senate.

The park will encompass three locations that were integral to the tremendous engineering and human achievements of the Manhattan Project. The three locations are the Hanford site in my home State of Washington, Los Alamos in New Mexico, and Oak Ridge in Tennessee.

The vast majority of the facilities that are eligible to be included in this park are already owned by the Federal Government, and they are located on lands owned and controlled by the Department of Energy.

Our Nation already possesses these pieces of history, and the real purpose of this bill is to officially declare the importance of preserving the history, providing access to the public, and include the unique abilities of the Park Service to help tell this story.

Currently, some of these facilities slated for inclusion in this park are scheduled to be destroyed at considerable taxpayer expense. A great many local community leaders in all three States and interested citizens have worked to coordinate a commitment to preserving this piece of our history. Additionally, the government will save millions of dollars from foregone destruction, as opposed to the minimal cost of providing public access and park administration.

In recognition of the important contributions to the Manhattan Project by the men and women at sites across the country, the bill contains a provision allowing communities like Dayton, Ohio, for example, outside the historical park, to receive technical assistance and support from the Department of the Interior as they seek to preserve and manage their own Manhattan Project park resources.

This is a good piece of legislation, and it is part of our history, Mr. Speaker. I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

To my friend, Mr. HASTINGS, the technology which created the bomb cannot be separated from the horror which the bomb created. The celebration of the technology of the bomb bespeaks a moral blindness to its effects, which include not only the devastation of the people of Hiroshima and Nagasaki, but the $10 trillion Cold War between the U.S. and Russia and the tens of thousands of nuclear weapons which today hang over the world like so many swords of Damocles.

At a time when we should be organizing the world towards abolishing nuclear weapons before they abolish us, we are instead indulging in admiration at our cleverness as a species. The bomb is about graveyards; it's not about national parks.

The philosopher, Alfred North Whitehead once wrote:

> The major advances in civilization are processes that all but wreck the societies in which they occur.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I advise my friend from Ohio I have no more requests for time, and I am prepared to yield back if he is prepared to yield back.

Mr. KUCINICH. I shall continue then.

When you walk into the Bradbury Science Museum at the Los Alamos National Laboratory in New Mexico, you're greeted on your immediate left by replicas of Fat Man and Little Boy, the two bombs that dropped on Hiroshima and Nagasaki. The space surrounding them does not include a picture of the leveled Japanese cities, pictures of children with massive birth defects, or stories of families and hundreds of years of history obliterated in the blink of an eye. It does not include a discussion of the health effects of worldwide distribution of radiation from the bombs or from the larger proliferation of nuclear technology that emanated from Los Alamos.

I am speaking about the Bradbury Science Museum. The bombs reside in a section of the museum called Defense, which presents information on the nuclear arsenal, the nuclear stockpile, plutonium, and explosives. Other sections discuss how nuclear energy works and how the bomb was triggered, how the bomb was triggered.

A substantive discussion of the myriad negative impacts of the technology that came out of the Manhattan Project is relegated to obscurity. A public forum tucked away in a corner provides space for public input.

When the U.S. dropped atomic bombs on Hiroshima and Nagasaki in August of 1945, more than 200,000 people were killed instantly. In the years that followed, over 100,000 additional people died of radiation poisoning. The Japanese people today continue to experience the devastating and long-term effects of the bomb.

It is now widely acknowledged by many top U.S. Government officials at the time of the war that dropping the bomb on Japan was completely unnecessary. I want to get into that section at this moment so that those who say, well, we need to create a memorial to the bomb because it ended the war, well, that's not true. I'm going to give you some quotes, Mr. Speaker.

This is from Dwight David Eisenhower, who was general of the armies and also, later on, President of the United States. He said:

> In July 1945, Secretary of War Stimson, visiting my headquarters in Germany, informed me that our government was preparing to drop an atomic bomb on Japan. I was one of those who felt that there were a number of cogent reasons to question the wisdom of such an act. The Secretary, upon giving me the news of the successful bomb test in New Mexico and of the plan for using it, asked for my reaction, apparently expecting a vigorous assent.
>
> During his recitation of the relevant facts, I had been conscious of a feeling of depression, and so I voiced to him my grave misgivings, first on the basis of my belief that Japan was already defeated and that dropping the bomb was completely unnecessary, and secondly because I thought that our country should avoid shocking world opinion by the use of a weapon whose employment was, I thought, no longer mandatory as a measure to save American lives. It was my belief that Japan was, at that very moment, seeking some way to surrender with a minimum loss of ''face.'' The Secretary was deeply perturbed by my attitude.

That's Dwight Eisenhower in a book called ''Mandate for Change,'' page 360.

□ 2000

From General Douglas MacArthur.

Norman Cousins was a consultant to General MacArthur during the American occupation of Japan. Cousins writes of his conversations with MacArthur:

MacArthur's views about the decision to drop the atomic bomb on Hiroshima and Nagasaki were starkly different from what the general public supposed.

Cousins continues:

When I asked General MacArthur about the decision to drop the bomb, I was surprised to learn he had not even been consulted. What, I asked, would his advice have been? He replied that he saw no military justification for the dropping of the bomb. The war might have ended weeks earlier, he said, if the United States had agreed, as it later did anyway, to the retention of the institution of the Emperor.

That's from a book called ''The Pathology of Power,'' Norman Cousins.

Leo Szilard was the first scientist to conceive of how an atomic bomb might be made. That was in 1933. He speaks of a meeting with J. Robert Oppenheimer, the head scientist of the Manhattan Project:

Szilard: I told Oppenheimer that I thought it would be a very serious mistake to use the bomb against the cities of Japan. Oppenheimer didn't share my views. Well, said Oppenheimer, don't you think that if we tell the Russians what we intend to do and then use the bomb in Japan, the Russians will understand it? They'll understand it only too well, Szilard replied.

Brigadier General Carter Clarke, who was the military intelligence officer in charge of preparing intercepted Japanese cables:

We didn't need to do it, and we knew we didn't need to do it, and they knew that we didn't need to do it, we used them as an experiment for two atomic bombs.

This is quoted in Gar Alperovitz, ''The Decision to Use the Atomic Bomb.'' Alperovitz, by the way, who did 30 years of research on the subject, said:

I think it can be proven that the bomb not only was unnecessary, but known in advance not to be necessary.

Another quote. Henry H. Arnold, Commanding General of the U.S. Army Air Forces:

The Japanese position was hopeless even before the first atomic bomb fell because the Japanese had lost control of their own air.

Fleet Admiral Chester W. Nimitz, Commander in Chief of the U.S. Pacific Fleet:

The Japanese had, in fact, already sued for peace. The atomic bomb played no decisive part from a purely military point of view in the defeat of Japan.

The use of atomic bombs at Hiroshima and Nagasaki was of no material assistance in our war against Japan. The Japanese were already defeated and ready to surrender.

This is Admiral William D. Leahy, chief of staff to President Truman:

Certainly, prior to 31 December 1945, and in all probability, prior to 1 November 1945, Japan would have surrendered even if atomic bombs had not been dropped.

That's from the U.S. Strategic Bombing Survey.

This is from Major General Curtis LeMay:

The war would have been over in 2 weeks without the Russians entering and without the atomic bomb. The atomic bomb had nothing to do with the end of the war at all.

Now it's just not disputable that this technology was not necessary. So let's go back to the creation of a national park and the naming of the park after the Manhattan Project.

May I ask how much time I have?

The SPEAKER pro tempore. The gentleman has 10 minutes remaining.

Mr. KUCINICH. Thank you.

We have to now ask ourselves, since it can be widely disputed—and by top military officials—that the dropping of the bomb was not necessary, then why are we honoring this technology with a national park? It's really a legitimate question.

When the U.S. dropped atomic bombs on Hiroshima and Nagasaki in August of 1945, again, 200,000 people were killed. And to have this discussion in the context of honoring a technology that created a bomb, I think, really raises questions about where we are with this country and where we are with the bomb. The splitting of the atom and the use of the split atom to create an atomic bomb actually bespeaks a split consciousness in this country. It was, in a sense, an intensification of dichotomized thinking, of us versus them, whoever they are. We then decided that all of our problems in humanity could be solved by technology, that the bomb then was put in place of reason, that the bomb was put in place of diplomacy, that the bomb was put in place of talking with each other and settling our differences. No, the bomb then became the metaphor for how technology rules over humanity. We're captives of our own machines.

Now, Mr. Speaker, I remember as a young person going to elementary school and that children would have to do drills called duck-and-cover because we believed that the United States was going to be targeted by nuclear weapons launched by the Soviet Union. The fear drove an entire generation's dreams. The fear caused the United States to spend trillions of dollars on a Cold War that took away from the needs of the people. The fear resides in the world today when there are some who urge an attack on Iran. Why? Because they are said to be developing a nuclear weapon.

Where does this stop? We cannot honor this technology. We cannot celebrate ingenuity that was used to put all of humanity at risk. We have to begin to reassess who we are as human beings and ask ourselves whether or not we have essentially reached the limits of our ability to develop technology which we can control.

And it's not only about nuclear weapons. When you learn that the globe itself is experiencing tremendous upset because of the human activity, when you learn that science can now create genetically modified organisms that can change the nature of food. As a matter of fact, life itself can be changed through cloning. We act as these mini gods who can endlessly tinker with our planet and life itself and then name parks after it. No.

In the scheme of things, someone will say, Dennis, this is just a park. What are you getting so excited about? This is about naming a new national park after the Manhattan Project. And we have to just stop and reflect on where this takes us. There should be a discussion about the full legacy of the Manhattan Project, including its devastating effects upon the Japanese people and upon the rest of the world.

If there was going to be a new park, it should serve as a solemn monument to Japanese American friendship that rose from the ashes and the worldwide work for nuclear disarmament that continues to this day, rather than a celebration of a technology that has brought such destruction to the world. Failure to recognize this dimension, even in its first iteration, really is a significant injustice.

I looked at the CRS report on this, and there's no mention of how this is going to be framed or phrased. The museum at Los Alamos is a celebration of the triumph of technology over humanity. It's a powerful illustration that we're developing technology at a rate that far exceeds our ability to manage it. Now we are faced with the choice to memorialize this point of view into a national park.

I would ask how much time I have left.

The SPEAKER pro tempore. The gentleman has 4½ minutes.

Mr. KUCINICH. In the last 4½ minutes I want to read a poem by Henry Reed. He juxtaposes in this poem Japan before the dropping of the bomb and the technical aspects of the bomb itself.

□ 2010

It's called ''The Naming of Parts'':

Today we have the naming of parts. Yesterday, we had daily cleaning. And tomorrow morning, we shall have what to do after firing. But today, today we have the naming of parts. Japonica glistens like coral in all of the neighboring gardens, and today we have naming of parts.

This is the lower sling swivel. And this is the upper sling swivel, whose use you will see when you are given your slings. And this is the piling swivel, which in your case you have not got. The branches hold in the gardens their silent, eloquent gestures, which in our case we have not got.

This is the safety-catch, which is always released with an easy flick of the thumb. And please do not let me see anyone using his finger. You can do it quite easily if you have any strength in your thumb. The blossoms are fragile and motionless, never letting anyone see any of them using their finger.

And this, you can see, is the bolt. The purpose of this is to open the breech, as you see. We can slide it rapidly backwards and forwards: we call this easing the spring. And rapidly backwards and forwards. The early bees are assaulting and fumbling the flowers: They call it easing the spring.

We're naming a park today. Yesterday we had the naming of parts, and not just Japan but our humanity was obliterated. Do we get a chance to reclaim it?

I reserve the balance of my time.

Mr. HASTINGS of Washington. I am prepared to close, Mr. Speaker, if the gentleman will yield back his time.

Mr. KUCINICH. I yield back the remainder of my time.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, this bill is really not as complicated as my good friend from Ohio tries to make it appear to be.

Now, I recognize, and we've had conversations on this when the bill was introduced, and I respect his opinion, but I respectfully disagree with his opinion and his arguments. There is nothing wrong with that. After all, we're Americans, and we can do that in America.

But I want to, and with the gentleman, what I heard him saying was dealing in what if and what would be an ideal world. Well, we'd all like to have an ideal world. But let's talk about reality at that time.

We were forced into the Second World War. Germany, of course, had started, some can say, started that war with their blitzkrieg on September 1, 1939, into Poland. You could say it may have started when Japan started expanding where they were going in the Pacific, and certainly when they attacked us on December 7, 1941.

Whether we liked it or not, we were in a war for survival. There is no question about that. That is simply the facts.

In the process of carrying out that war, and by the way, Mr. Speaker, let me say that war is absolutely unpredictable, but because if you're logically thinking about war, if it were predictable, it wouldn't have happened in the first place. But the very nature of war is unpredictable.

So we didn't know where we were, but we had heard that Nazi Germany was developing an atomic weapon. Now, they had been building a military machine long before because we were caught a bit off guard in the Second World War. We were not a warring Nation. So we had to use whatever technology we had in order to defend our freedoms. One way that was decided was to build an atomic weapon if we had to use that atomic weapon.

What this bill purports to do is nothing more than to talk about the ingenuity of the American people to develop this weapon when the nuclear industry was relatively in its infancy, and did it in such a short time frame. That is something that we ought to put into our history books because we do put past battles in our history books.

Just earlier this week was the 150th anniversary of Antietam, right up the road here in Sharpsburg, Maryland—the largest single-day casualty in American history at that time. Yet we memorialize the battlefield because it helped preserve our Union and get our Union back together.

So I think it's right that we look at these from that perspective.

Now, I can only imagine how difficult a decision it was for President Truman shortly after President Roosevelt had died to make this decision; but he made it because in his judgment, given the information he had, it would probably save more lives than it would cost by dropping a bomb. That was the judgment he made.

Let me speak just a little bit about, again, the ingenuity and the technology of what happened, and I can only speak about my area, Hanford, and about, specifically, about the B Reactor.

This is the first nuclear reactor that was built in this country; and from start to finish, it was built in less than a year. The technology at that point wasn't even proven. Yet when they started the B Reactor and went ''hot,'' as they said, it obviously did what it was supposed to do. It was a tremendous scientific achievement.

To open this up to the public and open this up to school children to see what we can do and what we did in this country to protect the freedoms and liberty we have, I think is worth preserving.

Again, all this does is take those three main sites that largely are already owned by the government, transfer them to the National Park Service, and show them to the public so we can learn and remember what happened during that time.

Finally, Mr. Speaker, let me say that I've been down on this floor many times criticizing the Obama administration. But the Obama administration, through Secretary Salazar and the Department of the Interior, is in favor of legislation establishing precisely what this bill and the Senate bill hope to do.

So while I have differences with them, I certainly congratulate them for recognizing how important this legislation is.

With that, Mr. Speaker, I urge adoption of the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 5987, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 2020

GLOBAL INVESTMENT IN AMERICAN JOBS ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5910) to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to produce a report on enhancing the competitiveness of the United States in attracting foreign direct investment, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5910

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Global Investment in American Jobs Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) It remains an urgent national priority to improve economic growth and create new jobs.

(2) National security requires economic strength and global engagement.

(3) Businesses today have a wide array of choices when considering where to invest, expand, or establish new operations.

(4) Administrations of both parties have consistently reaffirmed the need to maintain an open investment climate as a key to domestic economic prosperity and security.

(5) The United States has historically been the largest worldwide recipient of global investment but has seen its share of inbound global investment decline relative to its gross domestic product in recent years.

(6) Governors and mayors throughout the United States face increasing competition from other countries as they work to recruit investment from global companies.

(7) Foreign direct investment can benefit the economy and workforce of every State and Commonwealth in the United States.

(8) According to the latest Federal statistics, the United States subsidiaries of companies headquartered abroad contribute to the United States economy in a variety of important ways, including by—

(A) providing jobs for nearly 5,300,000 Americans with average compensation that is approximately 33 percent higher than the national private-sector average, as these jobs are often in high-skilled, high-paying industries;

(B) strengthening the United States industrial base and employing nearly 15 percent of the United States manufacturing sector workforce;

(C) establishing operations in the United States from which to sell goods and services around the world, thereby producing nearly 18 percent of United States exports;

(D) promoting innovation with more than $41,000,000,000 in annual United States research and development activities;

(E) paying nearly 17 percent of United States corporate income taxes; and

(F) purchasing more than $1,800,000,000,000 in domestic goods and services annually from local suppliers and small businesses, amounting to 80 cents for every dollar spent on input purchases.

(9) These companies account for 5.8 percent of United States private sector Gross Domestic Product.

(10) The Secretary of Commerce and the Secretary of State have declared increasing inbound global investment to be among their top priorities.

(11) The President issued a statement in 2011 reaffirming the longstanding open investment policy of the United States and encouraged all countries to pursue such a policy.

(12) The President signed an Executive order in 2011 to establish the SelectUSA initiative, aimed at promoting greater levels of business investment in the United States.

(13) The President's Council on Jobs and Competitiveness in 2011 recommended the establishment of a National Investment Initiative to attract $1,000,000,000,000 in new business investment from abroad.

(14) The United States and the European Union recently unveiled a set of principles aimed at promoting a more open climate for international investment and intended as a model for countries around the world.

(15) Maintaining the United States commitment to open investment policy encourages other countries to do the same and enables the United States to open new markets abroad for United States companies and their products.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the ability of the United States to attract inbound investment, particularly net new investment, is directly linked to the long-term economic prosperity, competitiveness, and security of the United States;

(2) in order to remain the most attractive location for global investment, Congress and Federal departments and agencies should be mindful of the potential impact upon the ability of the United States to attract foreign direct investment when evaluating proposed legislation or regulatory policy;

(3) it is a top national priority to enhance the competitiveness, prosperity, and security of the United States by—

(A) removing unnecessary barriers to inward global investment and the jobs that it creates throughout the United States; and

(B) promoting policies to ensure the United States remains the premier destination for global companies to invest, hire, innovate, and manufacture their products; and

(4) while foreign direct investment can enhance our economic strength, policies regarding foreign direct investment should reflect national security interests.

SEC. 4. AMENDMENT TO FOREIGN DIRECT INVESTMENT AND INTERNATIONAL FINANCIAL DATA IMPROVEMENTS ACT OF 1990.

Section 3 of the Foreign Direct Investment and International Financial Data Improvements Act of 1990 (22 U.S.C. 3142) is amended by adding at the end the following:

''(d) REVIEW OF UNITED STATES LAWS AND POLICIES ON FOREIGN DIRECT INVESTMENT IN THE UNITED STATES.—

''(1) REVIEW.—The Secretary of Commerce, in coordination with the Federal Interagency Investment Working Group and the heads of other relevant Federal departments and agencies, shall conduct an interagency review of United States laws and policies on foreign direct investment in the United States and develop recommendations to make the United States more competitive in attracting and retaining strong investment flows from abroad.

''(2) ADDITIONAL MATTERS TO BE INCLUDED.—The review conducted pursuant to paragraph (1) shall include the following:

''(A) A review of the current economic impact of foreign direct investment in the United States and broader trends in global cross-border investment flows, including an assessment of the current United States competitive position as an investment location for companies headquartered abroad.

''(B) A review of United States laws and policies that uniquely apply to foreign direct investment in the United States, with particular focus on those laws and policies that may have the effect of diminishing or promoting the ability of the United States to attract and retain foreign direct investment.

''(C) A review of ongoing Federal Government efforts to improve the investment climate, reduce investment barriers, and facilitate greater levels of foreign direct investment in the United States.

''(D) Recommendations based on the review carried out pursuant to subparagraph (B), including a comparative analysis of efforts of other competing countries, to make the United States more competitive in attracting global investment.

''(E) The impact of foreign direct investment on innovation and national economic competitiveness.

''(F) A review of State and local government initiatives to attract foreign investment.

''(3) COMMENT PERIOD.—The review conducted under paragraph (1) shall include an open comment period to solicit public input on matters covered by the review.

''(4) INCLUSION IN REPORT.—The Secretary of Commerce shall include the results of the review conducted pursuant to paragraph (1) in the first report prepared under subsection (a) of this section on or after the date of the enactment of the Global Investment in American Jobs Act of 2012.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from Georgia (Mr. BARROW) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on H.R. 5910.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, I rise today in strong support of H.R. 5910, the Global Investment in American Jobs Act of 2012. This legislation directs the Department of Commerce, in coordination with the heads of other relevant Federal departments, to produce an interagency report on enhancing the competitiveness of the United States in attracting foreign and direct investment.

This is a commonsense, bipartisan approach to creating new jobs in America, and I would like to thank my colleagues—Mr. DOLD, Mr. PETERS, Mr. ROSKAM and Mr. BARROW—for their hard work on this important legislation. I would also like to thank Energy and Commerce Committee Chairman UPTON, Ranking Member WAXMAN, and subcommittee Ranking Member BUTTERFIELD for all agreeing to bring H.R. 5190 to the floor. It has the strong support of leading business groups, including the U.S. Chamber of Commerce, the Organization for International Investment, the Association of Global Automakers, and the National Association of Manufacturers.

Today, with our economy stuck in a dangerous quagmire—and with unemployment still above 8 percent for a record 43 straight months—we need to take a long, hard look at U.S. laws and policies which serve as barriers to foreign direct investment in our Nation here at home. The goal of the Global Investment in American Jobs Act is to produce a much-needed ''competitiveness assessment report'' to Congress, along with a list of recommendations to make the U.S. more appealing to global companies seeking to expand beyond their borders.

This legislation comes at a very critical time. The value of cross-border investment has grown dramatically around the world, but America simply isn't cashing in like it once did. Just a decade ago, the U.S. attracted more than 41 percent of all global foreign investment. Today, that number has fallen to 18 percent—a steep, costly, and unacceptable decline.

In many ways, we're being out-recruited by other nations. In a recent global ranking of the world's most competitive economies, the U.S. slipped from fifth to seventh—marking the fourth straight year in which our Nation has shown a decline, despite having the world's largest economy. This constant chipping away at America's ability to compete for foreign investment is contributing to our unacceptably high unemployment rate and adding to our exploding national debt. This legislation is simply one way to fight back.

International investment has long served as an engine for U.S. economic prosperity, and it can play an important role in our economic recovery in the years ahead.

Today, the U.S. subsidiaries of international companies employ 5.3 million American workers, account for about 15 percent of the country's manufacturing workforce, produce more than 20 percent of all U.S. goods exported, and fund more than $40 billion of annual research and development activities. These companies also support a diverse supplier network throughout our country, purchasing roughly $2 trillion in annual goods and services that help to sustain thousands of small and medium-sized American companies.

The Global Investment in American Jobs Act aims, for the very first time, to identify barriers to new investment and to produce a road map for attracting and retaining top-tier businesses from around the world. Strong investment promotion policy will not only spur international companies to create jobs here in the U.S., but it will also encourage other nations to open their markets to U.S. investment necessary to access foreign markets.

Simply put, this legislation sends an important message to the world: today, America is not only open for business, but it's also a great place to do business.

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

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

Mr. Speaker, I too rise in support of H.R. 5910, the Global Investment in American Jobs Act of 2012.

Our success as a country depends more and more on being competitive in a global economy. The United States has historically been a very attractive investment for foreign businesses. In fact, foreign-owned businesses add over 5 million good-paying jobs to the U.S. labor force, produce nearly 18 percent of all U.S. exports, pay nearly 17 percent of all U.S. corporate income taxes, and purchase nearly $2 trillion in goods and services from other domestic small businesses.

This bill simply requires the Department of Commerce to work with the heads of other relevant Federal departments to conduct a review of U.S. laws and policies that affect foreign investment in the U.S. and then make recommendations on how we can be more competitive in attracting foreign investment.

As our global competitors continue to develop, we have to evolve as well just to keep up. This bill will give us a fuller picture of our challenges and opportunities so we can develop a coordinated strategy for economic success. It's the key to our economic well-being in the decades to come.

I want to thank Congressman DOLD, Congressman ROSKAM, and Congressman PETERS for their collaborative and bipartisan work on this bill. Working together isn't just the right way to do things around here; it's the only way to actually get anything done around here. However much we may tend to forget that in this body, it's the only way to truly represent the Nation as a whole.

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

Mrs. BONO MACK. Mr. Speaker, I am pleased to yield 5 minutes to one of the very hardworking authors of this legislation, the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. Mr. Speaker, I certainly want to thank my good friend from California for yielding the time and for her leadership on the subcommittee.

Mr. Speaker, global investment grows our economy right here at home. It means good-paying, solid American jobs. The United States is the premier location around the world for companies to invest and establish operations, but the reality is that other nations are getting better at challenging the United States for foreign direct investment opportunities. In fact, the United States share of global foreign investment has declined, as my friend from California pointed out, from over 41 percent in 1999 to what is under 18 percent—actually 17.6 percent in 2009.

While America still leads the way in attracting this inbound or inward investment, the data make it clear that we must do better in order to remain the premier location for global investment in the 21st century. That's why I am proud to introduce and champion H.R. 5910, the Global Investment in American Jobs Act. I urge my colleagues who are focused on improving our economy and creating American jobs to vote in support of this legislation so that it can get signed quickly by the President.

The Global Investment in American Jobs Act has earned broad bipartisan support both here in the House and in the United States Senate. And I want to thank Congressman ROSKAM, Congressman BARROW, Congressman PETERS, as well as Senators KERRY and CORKER, for helping lead the push for this legislation. I also want to thank the many cosponsors who recognize how important this legislation is to growing our economy and keeping jobs here at home.

This legislation provides a road map for enhancing the U.S. competitiveness and attracting foreign direct investment into the United States. It does this by expanding on an existing Commerce Department report and charges the Commerce Department to identify certain policies and regulations—whether those are in existence intentionally or, more importantly, indirectly or unintentionally—that might uniquely create a barrier for investment here in the United States. It also helps us gain a better understanding of which current policies promote this much-needed global investment into the United States and into our communities.

Mr. Speaker, in Illinois, insourcing currently accounts for a little over 273,000 direct jobs, including many great jobs in the 10th District of Illinois. But it's not just in Illinois. The benefits of this inbound investment is seen in literally every State, helping us to sustain innovation, manufacturing, trade, supplier networks, and over 5 million direct jobs throughout our Nation.

□ 2030

But with other nations actively reforming their policies in an effort to make their countries increasingly more competitive for these global investments, it's critical that the United States do the same.

Promoting and encouraging global investment into our country, and the jobs that will come with it, is something that we all should promote. It is something that has been identified as key to economic growth in our country, certainly in the Chicago region, and it is something that I'm proud to lead the charge on in Congress.

I urge my colleagues to vote ''yea'' on the legislation, and I want to thank my colleague from Georgia for his help and leadership as well.

Mr. BARROW. Mr. Speaker, there being no further speakers on our side, I would inquire of the gentlelady from California if she has any further speakers on hers.

Mrs. BONO MACK. No, I do not have any further speakers. At this time, I'm prepared to close.

Mr. BARROW. With that, Mr. Speaker, it falls to me only to thank, once again, Congressman DOLD, Congressman ROSKAM, and Congressman PETERS for their work on this bill.

I yield back the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I'm just going to say that there's absolutely no magic bullet for putting Americans back to work again, but what we can do and what we should do is eliminate the endless roadblocks to job creation which are acting like a tire boot on the U.S. economy. Today we're simply going nowhere fast.

This bill will help to get America moving again by removing many of those barriers and by developing a much-needed plan for attracting top-tier businesses from around the world. Today, with more than 23 million Americans who are unemployed or underemployed, it's time to cut that tire boot off of our economy and to develop a new roadmap for prosperity. The Global Investment in American Jobs Act of 2012 is one way for us to start on that journey.

Mr. Speaker, again, I applaud my colleagues for their hard work, and I thank them very much for what they've done.

I strongly urge all of my colleagues to adopt H.R. 5910. It is a bipartisan bill. It's supported by leading business groups. And when it comes to job creation, it's another piece to the puzzle that simply fits perfectly.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 5910, as amended.

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

A motion to reconsider was laid on the table.

DRYWALL SAFETY ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4212) to designate drywall manufactured in China a banned hazardous product, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4212

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Drywall Safety Act of 2012''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Secretary of Commerce should insist that the Government of the People's Republic of China, which has ownership interests in the companies that manufactured and

exported problematic drywall to the United States, facilitate a meeting between the companies and representatives of the United States Government on remedying homeowners that have problematic drywall in their homes; and

(2) the Secretary of Commerce should insist that the Government of the People's Republic of China direct the companies that manufactured and exported problematic drywall to submit to jurisdiction in United States Federal Courts and comply with any decisions issued by the Courts for homeowners with problematic drywall.

SEC. 3. DRYWALL LABELING REQUIREMENT.

(a) LABELING REQUIREMENT.—Except as provided in subsection (b), not later than one year after the date of enactment of this Act, the Consumer Product Safety Commission shall promulgate a final rule under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)) requiring that each sheet of drywall manufactured or imported for use in the United States be permanently marked with the name of the manufacturer and the month and year of manufacture.

(b) EXCEPTION.—

(1) VOLUNTARY STANDARD.—Subsection (a) shall not apply if the Consumer Product Safety Commission determines that—

(A) a voluntary standard pertaining to drywall manufactured or imported for use in the United States is adequate to permit the identification of the manufacturer of such drywall and the month and year of manufacture; and

(B) such voluntary standard is or will be in effect not later than 2 years after the date of enactment of this Act.

(2) FEDERAL REGISTER.—Any determination made under paragraph (1) shall be published in the Federal Register.

(c) TREATMENT OF VOLUNTARY STANDARD FOR PURPOSES OF ENFORCEMENT.—Except as provided in subsection (d), if the Commission determines that a voluntary standard meets the conditions under subsection (b)(1), then the labeling requirement of that standard shall be enforceable as a Commission rule promulgated under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)) beginning on the date that is the later of—

(1) 180 days after publication of the determination under subsection (b); or

(2) the effective date contained in the voluntary standard.

(d) REVISION OF VOLUNTARY STANDARD.—If the labeling requirement of a voluntary standard that met the conditions of subsection (b)(1) is subsequently revised, the organization responsible for the standard shall notify the Commission no later than 60 days after final approval of the revision. The labeling requirement of the revised voluntary standard shall become enforceable as a Commission rule promulgated under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date the Commission may specify), unless within 90 days after receiving that notice the Commission determines that the labeling requirement of the revised voluntary standard does not meet the requirements of subsection (b)(1)(A), in which case the Commission shall continue to enforce the prior version.

SEC. 4. SULFUR CONTENT IN DRYWALL STANDARD.

(a) RULE ON SULFUR CONTENT IN DRYWALL REQUIRED.—Except as provided in subsection (c), not later than 1 year after the date of enactment of this Act, the Consumer Product Safety Commission shall promulgate a final rule pertaining to drywall manufactured or imported for use in the United States that limits sulfur content to a level not associated with elevated rates of corrosion in the home.

(b) RULE MAKING; CONSUMER PRODUCT SAFETY STANDARD.—A rule under subsection (a)—

(1) shall be promulgated in accordance with section 553 of title 5, United States Code; and

(2) shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

(c) EXCEPTION.—

(1) VOLUNTARY STANDARD.—Subsection (a) shall not apply if the Commission determines that—

(A) a voluntary standard pertaining to drywall manufactured or imported for use in the United States limits sulfur content to a level not associated with elevated rates of corrosion in the home; and

(B) such voluntary standard is or will be in effect not later than two years after the date of enactment of this Act.

(2) FEDERAL REGISTER.—Any determination made under paragraph (1) shall be published in the Federal Register.

(d) TREATMENT OF VOLUNTARY STANDARD FOR PURPOSES OF ENFORCEMENT.—If the Commission determines that a voluntary standard meets the conditions in subsection (c)(1), the sulfur content limit in such voluntary standard shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) beginning on the date that is the later of—

(1) 180 days after publication of the Commission's determination under subsection (c); or

(2) the effective date contained in the voluntary standard.

(e) REVISION OF VOLUNTARY STANDARD.—If the sulfur content limit of a voluntary standard that met the conditions of subsection (c)(1) is subsequently revised, the organization responsible for the standard shall notify the Commission no later than 60 days after final approval of the revision. The sulfur content limit of the revised voluntary standard shall become enforceable as a Commission rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date as the Commission may specify), unless within 90 days after receiving that notice the Commission determines that the sulfur content limit of the revised voluntary standard does not meet the requirements of subsection (c)(1)(A), in which case the Commission shall continue to enforce the prior version.

(f) FUTURE RULEMAKING.—Notwithstanding any other provision of this Act, the Commission, at any time subsequent to publication of the consumer product safety rule required by subsection (a) or a determination under subsection (c), may initiate a rulemaking in accordance with section 553 of title 5, United States Code, to reduce the sulfur content limit or to include any provision relating to the composition or characteristics of drywall that the Commission determines is reasonably necessary to protect public health or safety. Any rule promulgated under this subsection shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

SEC. 5. REVISION OF REMEDIATION GUIDANCE FOR DRYWALL DISPOSAL REQUIRED.

Not later than 120 days after the date of enactment of this Act, the Consumer Product Safety Commission shall revise its ''Remediation Guidance for Homes with Corrosion from Problem Drywall'' to specify that problematic drywall removed from homes pursuant to the guidance should not be reused or used as a component in production of new drywall.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 4212.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, which has jurisdiction over the Consumer Product Safety Commission, I rise today in strong support of H.R. 4212, an important bipartisan bill to help the Federal Government fight the problem of defective and potentially hazardous Chinese drywall.

I would like to thank my colleague, Mr. RIGELL of Virginia, for all of his hard and thoughtful work on this important legislation.

Today, if something smells rotten in your home or in your business, Chinese drywall may be to blame. Scientific laboratory tests have identified emissions from some of this drywall to include sulfurous gases such as hydrogen sulfide, which leaves a stench muck like rotten eggs.

It's time to address this widespread problem, which exploded across our landscape after Hurricane Katrina. By some estimates, enough suspect Chinese drywall has entered the U.S. since 2006 to build more than 60,000 American homes, many of which are located in the southeastern U.S.

But here's the problem. The emissions from contaminated drywall worsen as the temperature and the humidity rise, causing copper surfaces, including pipes, wiring, and air conditioning coils to become blackened and corroded. As a result, many people have complained about respiratory problems such as chronic coughing, asthma attacks, and difficulty in breathing, and that's in addition to headaches and sinus issues.

Most of the companies which made this bad drywall are owned, at least in part, by the Chinese Government, and they have steadfastly refused to appear in American courts or to cooperate with the Federal Government's ongoing safety investigation.

In some cases, U.S. builders, to their credit, have stepped up on their own to remediate the problem, but thousands of others have had to sue or simply eat the costs of replacing this drywall.

H.R. 4212 is one way to help prevent this problem from happening again in the future.

But, at the same time, we're also trying to help people who've already been impacted. This bill directs the Secretary of Commerce to work with the Chinese Government in coming up with a fair solution to settle outstanding claims.

In addition, H.R. 4212 requires labeling of all drywall with the name of the manufacturer and the date of its manufacture. In the past, the lack of this critically important information has been a real problem because homeowners couldn't tell, in many cases, which company manufactured that bad drywall.

And finally, this legislation requires the Consumer Product Safety Commission to promulgate an important new standard to limit the sulfur content of drywall, unless industry comes up with an acceptable voluntary standard first.

Mr. Speaker, science has spoken. This isn't a case of we think we have a problem. Today, we know we have a problem. China chooses to ignore it, but America chooses to do something about it.

I strongly urge the adoption of this bill, and I reserve the balance of my time.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, October 5, 2011.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN UPTON: Thank you for your consultation with the Foreign Affairs Committee on the amended text of H.R. 4212, the Drywall Safety Act of 2012, given the referral of that bill to our Committee.

I am writing to confirm the agreement of the Foreign Affairs Committee to be discharged from consideration of H.R. 4214 in order to expedite its consideration on the House floor. In agreeing to waive consideration of that bill, this Committee does not waive any jurisdiction that it has over provisions in that bill or any other matter. This also does not constitute a waiver of the participation of the Committee of Foreign Affairs in any conference on this bill. I ask that you include a copy of this letter and your response in the Congressional Record during floor consideration of the bill.

Thank you again for your consideration and collegiality in this matter.

Cordially,

ILEANA ROS-LEHTINEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 17, 2012.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN, Thank you for your letter regarding H.R. 4212, the ''Contaminated Drywall Safety Act of 2012.'' As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Foreign Affairs.

I appreciate your willingness to forgo action on H.R. 4212, and I agree that your decision should not prejudice the Committee on Foreign Affairs with respect to its jurisdictional prerogatives on this or similar legislation, including the appointment of conferees in the event of a conference on this bill.

I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 4212 on the House floor.

Thank you again for assistance on this matter.

Sincerely,

FRED UPTON,
Chairman.

Mr. DEUTCH. Mr. Speaker, I would be prepared to reserve my time if my friend, Mr. RIGELL, would like to speak first.

Mrs. BONO MACK. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Virginia (Mr. RIGELL), my colleague and the author of this bill, a very hard worker.

Mr. RIGELL. I thank the gentlelady for yielding, and I thank my colleagues for being here tonight to support a really great and much-needed piece of legislation.

I do rise in strong support of the Drywall Safety Act of 2012. This truly is a bill about protecting the American family, both their physical health and their financial health.

Mr. Speaker, this is about doing what is right to address a terrible injustice that has fallen upon so many families, many of whom live in the Second Congressional District of Virginia, and thousands across our country. These are families that are reeling financially, and also their health has been damaged because of drywall that was manufactured in a defective manner in China and then shipped to the United States and installed in homes across our great land.

They're our friends and neighbors, hardworking folks who saved, bought homes, and were living the American Dream, or really, so they thought. And their dream, Mr. Speaker, so often has turned into a true nightmare. Their children have developed just bloody noses and respiratory ailments.

Mr. Speaker, I've met with these families. It's really heartbreaking. They're having to pay for their current home, which is uninhabitable, and then go out and rent or maybe attempt to buy another home. It's a type of financial stress that so many of the families have been unable to adjust to. And many of them, so many of whom I've met with, have ended up having to file financial bankruptcy.

So I appreciate the leadership of the chairwoman this evening and my friend and colleague, Representative DEUTCH, a cochairman with me on the Contaminated Drywall Caucus. We've advanced, we believe, a sound piece of legislation, bipartisan, that really addresses this problem. It doesn't, and we don't portend that it fixes everything, but it is a major and significant step forward.

These families, the only thing they have left is, I think, hope that we'll do the right thing here tonight. It's been over 4 years that these families have been hurting. You know, they looked first to the lender, to the importers of the drywall, to the insurers. They didn't find any real relief there.

□ 2040

Some of the banks, to their credit, have given some consideration, but it's not enough. We've got to act tonight in this House, and I trust that we will.

The bill takes China to task directly for failing to require their state-owned manufacturers to compensate the victims of their contaminated products. It expresses the undivided sense of Congress that the Government of China needs to make right and ensure that those who have lost so much are made whole.

As the chairwoman pointed out, clear labeling requirements are incorporated into the legislation; and by limiting the amount of elemental sulfur allowed in the drywall, it will ensure that drywall that is defective is not imported into this country. As a lighter, smarter regulation advocate, I am delighted that we have gone the route of voluntary standards. If we can go that direction, that's our preferred way above the regulatory approach. So we set up the industry, itself, to advance by setting industry standards that will apply as well to foreign manufactured drywall products, and we will protect our homeowners that way.

In closing, I just want to express again my sincere appreciation to all of those who have made it possible for us to bring the bill to the floor, and I trust and hope that we will pass it by unanimous consent tonight.

I particularly want to thank my friend and colleague from Florida, Representative DEUTCH, for his leadership in serving as the cochairman of our caucus.

You've just been terrific, and your staff has been terrific.

I also want to thank the majority and minority members and the staffs on the Energy and Commerce Committee who worked so hard to navigate a lot of challenges to get this bill to the floor.

Mr. Speaker, this is commonsense legislation. It is much needed. I know these families and they are hurting. I trust and encourage my colleagues to do the right thing tonight—to advance this bill and to support it.

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

I rise in strong support of this amended form of H.R. 4212, the Contaminated Drywall Safety Act of 2012.

My friend Mr. RIGELL is correct: when we have an opportunity to do something for the families in America who are really suffering and when we can do it in a commonsense and bipartisan way, we have every responsibility to take that action. That's what this bill is about, and that's what this evening is about.

In the wake of the 2005 and 2006 hurricane seasons, a domestic shortage of drywall developed in our country, drywall for rebuilding homes and businesses. To make up for this shortage, builders began importing several million tons of drywall from China; but it was not until 2009 that reports started

to surface that, unbeknownst to the builders or to the consumers, much of the drywall coming from China emitted high levels of corrosive sulfur.

Currently, thousands of homeowners in 42 States, as well as in the District of Columbia, Puerto Rico and American Samoa, have been enduring an emergency situation in which contaminated drywall from China has been causing ever worsening destruction and damage to their homes. It has also caused serious health problems for the families living in those homes. Like my friend from Virginia, in having the opportunity to visit with families and listen to them share their stories about the illnesses that come one after another after another to their children, ultimately forcing them to move from their homes, one can't be helped but be moved to action.

The problematic drywall corrodes copper piping and wiring in homes, which causes the failure of air-conditioning systems, telecommunications wiring, wiring for lighting and other household appliances. Such corrosion poses both potential fire and safety hazards in homes, and it causes undue financial hardship for homeowners who are constantly forced to repair or replace essential appliances.

The damage to the housing structures and the detrimental health impact on family members caused by contaminated Chinese drywall renders many of these homes simply uninhabitable. Such a situation forces some families to find alternate housing while also having to maintain the mortgages on their homes that are uninhabitable. In these difficult economic times, tremendous strain is being placed on limited family finances to constantly replace or make repairs to essential home appliances or to pay for other housing options while maintaining that mortgage on an uninhabitable home with Chinese drywall. These families have been and are in desperate need of assistance.

This bill seeks to provide assistance to homeowners who have contaminated drywall in their homes and to prevent contaminated drywall from entering the country in the future.

Our bill will assist homeowners who are victims of this problematic Chinese drywall by urging the Secretary of Commerce to insist that the Chinese Government facilitate a meeting between the companies that manufacture the contaminated drywall and the representatives of the U.S. Government to help remedy homeowners who have the contaminated drywall in their homes. In addition, the bill urges the Secretary of Commerce to insist that the Chinese Government direct the companies that manufactured this contaminated drywall and exported it to this country to submit to the jurisdiction of the United States Federal courts and to comply with any decisions issued by those courts on behalf of the homeowners with this contaminated drywall.

The bill will ensure that similar problematic drywall is not imported into this country in the future. It would require that each sheet of drywall that is imported for use in the U.S. be labeled with the name of the manufacturer and the month and year of manufacture. In addition, the bill requires that the Consumer Product Safety Commission ensure that future drywall manufactured or imported for use in the U.S. contain sulfur limits that do not cause elevated rates of corrosion in the home. The bill also requires the CPSC to revise their remediation guidance for homes with contaminated drywall to include a provision that contaminated drywall removed from homes should not be used in the production of new drywall.

This bill is a product of bipartisan negotiations, and it demonstrates how this House works best when both sides work together to get something done for the American people.

I really do want to express my sincere appreciation to my cochair of the Congressional Contaminated Drywall Caucus, Congressman RIGELL, for all of his hard work and leadership on this issue.

I also want to thank the Energy and Commerce Committee, particularly Chairman UPTON and Chairwoman BONO MACK, for their help as well as the help of Ranking Member WAXMAN and of the ranking member on the subcommittee, Congressman BUTTERFIELD.

I would also like to thank Congresswoman and Chair ILEANA ROS-LEHTINEN from the Foreign Affairs Committee for all of her hard work, together with that of Ranking Member BERMAN, in the commitment to finding a compromise to permit this bill to move forward.

Finally, I would like to recognize my friend Congressman MARIO DIAZ-BALART for his tireless work on this issue from the time the first reports of contaminated drywall surfaced and for providing much-needed assistance to those victims of contaminated Chinese drywall.

For all of these reasons and for all of the people who have been affected, I urge my colleagues this evening to support the passage of H.R. 4212.

I yield back the balance of my time.

Mrs. BONO MACK. As I have no further requests for time, in closing I just want to make one very important point here—and I think it's a great point to make right now—which is that Republicans and Democrats are united on this very important health and safety issue. ''Made in China'' is stamped on everything from kids' toys to consumer electronics, so let's just make sure it is stamped on our drywall, too. Let's also make sure that this is a safe product, that it's environmentally friendly, and that someone stands behind it.

I applaud Mr. RIGELL for his hard work, and I thank Mr. DEUTCH very much for bringing it to our attention and for working with our committee. I, too, thank the staffs of the subcommittee and the full committee for all of their hard work over these past many days.

With that, Mr. Speaker, I am going to ask that my colleagues support H.R. 4212, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOHMERT). The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 4212, as amended.

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

The title was amended so as to read: ''A bill to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.''.

A motion to reconsider was laid on the table.

□ 2050

FDA USER FEE CORRECTIONS ACT OF 2012

Mr. UPTON. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the bill (H.R. 6433) to make corrections with respect to Food and Drug Administration user fees, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6433

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FDA User Fee Corrections Act of 2012''.

SEC. 2. CORRECTIONS TO FDA USER FEES.

(a) Section 502(aa) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(aa)) is amended by striking ''744A(a)(4)'' and inserting ''744B(a)(4)''.

(b) Subchapter C of title VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.) is amended—

(1) in section 738(i)(2)(A)(ii), by striking ''shall only be available'' and inserting ''shall be available'';

(2) in sections 744B(a)(2)(E)(ii)(II), 744B(a)(3)(C)(ii)(III), 744B(a)(4)(D)(i)(II), and 744B(a)(4)(D)(ii)(II), by inserting ''for such year'' after ''obligation of fees'' each place it appears; and

(3) in section 744B(i)(2)(C)—

(A) by inserting a comma after ''September 30, 2013''; and

(B) by striking the comma after ''for fiscal year 2013''.

(c)(1) Notwithstanding section 744B(a)(2)(E)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(a)(2)(E)(ii)), the fee authorized under section 744B(a)(2) of such Act for fiscal year 2013

shall be due 30 calendar days after publication of the notice provided for in section 744B(a)(2)(C)(i) of such Act.

(2) Notwithstanding section 744B(a)(3)(C)(ii) of such Act, the fee authorized under section 744B(a)(3) of such Act for fiscal year 2013 shall be due on the later of—

(A) the date of submission of the abbreviated new drug application or prior approval supplement for which such fee applies; or

(B) 30 calendar days after publication of the notice referred to in section 744B(a)(3)(B)(i) of such Act.

(3) Notwithstanding section 744B(a)(4)(D)(i) of such Act, the fee authorized under section 744B(a)(4) of such Act for fiscal year 2013 shall be due not later than 45 days after the publication of the notice under section 744B(a)(4)(C)(i) of such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on this bill, H.R. 6433.

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

There was no objection.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT OF 2012

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6163) 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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6163

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Pediatric Research Network Act of 2012''.

SEC. 2. NATIONAL PEDIATRIC RESEARCH NETWORK.

Section 409D of the Public Health Service Act (42 U.S.C. 284h; relating to the Pediatric Research Initiative) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

''(d) NATIONAL PEDIATRIC RESEARCH NETWORK.—

''(1) NETWORK.—In carrying out the Initiative, the Director of NIH, acting through the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development and in collaboration with other appropriate national research institutes and national centers that carry out activities involving pediatric research, may provide for the establishment of a National Pediatric Research Network consisting of the pediatric research consortia receiving awards under paragraph (2).

''(2) PEDIATRIC RESEARCH CONSORTIA.—

''(A) IN GENERAL.—The Director of the Institute may award funding, including through grants and contracts, to public or private nonprofit entities—

''(i) for planning, establishing, or strengthening pediatric research consortia; and

''(ii) for providing basic operating support for such consortia, including with respect to—

''(I) basic, clinical, behavioral, or translational research to meet unmet needs for pediatric research; and

''(II) training researchers in pediatric research techniques.

''(B) RESEARCH.—The Director of NIH shall ensure that—

''(i) each consortium receiving an award under subparagraph (A) conducts or supports at least one category of research described in subparagraph (A)(ii)(I) and collectively such consortia conduct or support all such categories of research; and

''(ii) one or more such consortia provide training described in subparagraph (A)(ii)(II).

''(C) NUMBER OF CONSORTIA.—The Director of NIH may make awards under this paragraph for not more than 20 pediatric research consortia.

''(D) ORGANIZATION OF CONSORTIUM.—Each consortium receiving an award under subparagraph (A) shall—

''(i) be formed from a collaboration of cooperating institutions;

''(ii) be coordinated by a lead institution; and

''(iii) meet such requirements as may be prescribed by the Director of NIH.

''(E) SUPPLEMENT, NOT SUPPLANT.—Any support received by a consortium under subparagraph (A) shall be used to supplement, and not supplant, other public or private support for activities authorized to be supported under this paragraph.

''(F) DURATION OF SUPPORT.—Support of a consortium under subparagraph (A) may be for a period of not to exceed 5 years. Such period may be extended by the Director of NIH for additional periods of not more than 5 years.

''(3) COORDINATION OF CONSORTIA ACTIVITIES.—The Director of NIH shall—

''(A) as appropriate, provide for the coordination of activities (including the exchange of information and regular communication) among the consortia established pursuant to paragraph (2); and

''(B) require the periodic preparation and submission to the Director of reports on the activities of each such consortium.

''(e) RESEARCH ON PEDIATRIC RARE DISEASES OR CONDITIONS.—

''(1) IN GENERAL.—In making awards under subsection (d)(2) for pediatric research consortia, the Director of NIH shall ensure that an appropriate number of such awards are awarded to such consortia that agree to—

''(A) focus primarily on pediatric rare diseases or conditions (including any such diseases or conditions that are genetic disorders (such as spinal muscular atrophy and Duchenne muscular dystrophy) or are related to birth defects (such as Down syndrome and fragile X));

''(B) conduct or coordinate one or more multisite clinical trials of therapies for, or approaches to, the prevention, diagnosis, or treatment of one or more pediatric rare diseases or conditions; and

''(C) rapidly and efficiently disseminate scientific findings resulting from such trials.

''(2) DATA COORDINATING CENTER.—

''(A) ESTABLISHMENT.—In connection with support of consortia described in paragraph (1), the Director of NIH shall establish a data coordinating center for the following purposes:

''(i) To distribute the scientific findings referred to in paragraph (1)(C).

''(ii) To provide assistance in the design and conduct of collaborative research projects and the management, analysis, and storage of data associated with such projects.

''(iii) To organize and conduct multisite monitoring activities.

''(iv) To provide assistance to the Centers for Disease Control and Prevention in the establishment or expansion of patient registries and other surveillance systems.

''(B) REPORTING.—The Director of NIH shall—

''(i) require the data coordinating center established under subparagraph (A) to provide regular reports to the Director of NIH and the Commissioner of Food and Drugs on research conducted by consortia described in paragraph (1), including information on enrollment in clinical trials and the allocation of resources with respect to such research; and

''(ii) as appropriate, incorporate information reported under clause (i) into the Director's biennial reports under section 403.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this legislation brings us a step closer to providing more help to children with unmet health needs, especially those with rare pediatric and genetic diseases.

According to the National Institutes of Health, the NIH, there are 6,800 rare diseases, and most of these conditions have no treatment or cure, and they primarily affect children. I would guess that everyone in this Chamber is personally aware of the devastating impact of these diseases with some family that they know. I, myself, have spent some time with a family from my district whose children have spinal muscular atrophy, SMA. It is a very rare pediatric disease that is the leading genetic cause of death in infants and toddlers.

These are great kids. I've got a picture of one of them here. When they came to see me, they told me that their names were Cinderella and Sleeping Beauty. They really are. These are just really marvelous children. They're great kids, and it's a source of real sadness that their disease is the kind that is often incurable and often untreatable.

The barriers to research on rare and genetic diseases are those that are common to most research. It's already difficult to initiate the experimental and lengthy research needed to find treatments and cures; however, when the population of patients is so small, maybe only a couple dozen in a State, these problems are even more difficult to solve.

This legislation is going to help us establish pediatric research networks and a consortia that are a proven way to overcome those gaps in research. Networks and consortia will be comprised of leading institutions that act

as partners to consolidate and coordinate research efforts. It promotes efficiency and collaboration, especially when a disease affects just a small number of children.

Mr. Speaker, I would urge all my colleagues to support this bipartisan legislation. I look forward to a strong vote tonight and working with our colleagues in the Senate to make sure that this bill really does get to the President's desk and makes a difference for families that are in search of something that will help them with their kids.

With that, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in the health care profession, we know that children aren't just little adults. They have unique health experiences, treatment needs, and research challenges.

While public and private research has come a long way on pediatric diseases over the years, we also know that we are still far behind on important diagnostics, cures, and treatments for far too many ailing children. That's why I am so pleased to have coauthored the National Pediatric Research Network Act with my colleague and friend, Representative CATHY MCMORRIS RODGERS.

This bipartisan bill would improve research and clinical trials on pediatric diseases. It would train future pediatric researchers and disseminate research findings so quickly so that all children may benefit. It does not replace our current pediatric research investments. Instead, it builds upon the work already being done at the NIH and at research centers across the country by creating, as Chairman UPTON said, research consortia to form a nationwide network of pediatric researchers. This is important so that we can make sure that we're always working with the most current science and that information is shared and also verified.

It will expand the geographic scope of research, giving sick kids easier access to research programs and clinical trials. Moreover, this bill will help a wider variety of institutions participating in this critical research while providing training grounds for our next generation of pediatric researchers.

Another key feature to this bill is that it will place an added emphasis on researching children's rare diseases, such as the one already described, spinal muscular atrophy, and to develop new treatments to fight them.

The low prevalence of these diseases makes them particularly hard to research, yet these diseases have such a marked impact on the lives of far too many families and communities. The National Pediatric Research Network Act will be an important step forward to help these families and those who may develop these diseases long into the future.

I want to thank again the leadership of the Energy and Commerce Committee, Chairman UPTON, Ranking Member WAXMAN, Chairman PITTS, and Ranking Member PALLONE, for their dedication to this bill; and to the staff, my staff, and especially Ruth Katz, a committee staffer, working to improve the language and to bring this to the floor. I also include my colleague, Congresswoman DEGETTE, for her leadership on this issue over the years.

And just like Chairman UPTON, I would especially like to thank my constituents, dear friends, and a very remarkable family, Bill and Victoria Strong, who are the parents, for their tireless work on behalf of their own daughter, Gwendolyn, who has spinal muscular atrophy as well and just a few weeks ago celebrated an amazing achievement by entering public kindergarten at the age of 5. She's the favorite of all her classmates, and the parents are beside themselves with joy that this remarkable milestone has been achieved. They work day in and day out to make their daughter's world better, and in doing so they have created a very strong community within our larger community of people who care about Gwendolyn, but also care about other children with similar kinds of conditions and what we should be doing as a Nation to stand with them. They have shown how entire communities can come together to fight diseases like SMA.

I urge my colleagues to follow their example. We need to come together now to support this bill, and in doing so we support families like those in Michigan and in Santa Barbara, California, and other places, as well, to do all we can do to make this a law and give them hope and courage for the future.

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

Mr. UPTON. Mr. Speaker, I yield myself 30 seconds.

I just want to again thank Mrs. CAPPS. As we met these families, we really did not know about these diseases until we saw their courage and what they do as they confront this every day. It's marvelous for me, as I now have visited my family that has this disease 2 years in a row. It's great to see them grow and remember where they were and to really think that there's going to be hope with the legislation that we can see that is done.

With that, I yield 5 minutes to the gentlelady from Washington State, CATHY MCMORRIS RODGERS, who has also been, as we look at a bipartisan leadership, a real trooper to move this legislation not only through our committee, but now on the House floor.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I thank the chairman. I thank my colleague and friend, Representative LOIS CAPPS, and rise today in strong support of this legislation, H.R. 6163, the National Pediatric Research Network Act, which is going to build on America's commitment to pediatric medical research.

That commitment has already led to the prevention and treatment of terrible conditions such as polio, meningitis, childhood leukemia, congenital heart disease. With budgets being squeezed like no time in recent memory, it has never been more important to support projects which leverage every single dollar.

Research networks have a proven track record in their ability to ensure collaboration and the sharing of resources which, in turn, have led to medical discoveries that have improved lives.

□ 2100

For example, the National Cancer Institute-funded Children's Oncology Group has advanced our understanding and treatment of childhood cancers, and this group has resulted in a cure for some types of childhood leukemia. The Pediatric Heart Network has improved the outcome for children born with congenital heart disease.

I am proud to have introduced this legislation with my colleague, Representative CAPPS. This legislation is going to authorize NIH to establish up to 20 pediatric research networks across this country, and each network will be selected by NIH through a competitive review process. These networks will allow multiple institutions to work together in a ''hub and spoke'' fashion to encourage collaboration.

Some of those networks will focus on rare diseases such as spinal muscular atrophy. Other networks will focus on the genetic diseases that have their onset in childhood, including Fragile X and Down Syndrome.

It's important to develop a framework for these rare and genetic diseases for a number of reasons. First of all, researchers in these areas are often working in isolation, and this legislation is going to help overcome that barrier. Secondly, there are not many children with these disorders in one place, so it makes it difficult to connect the researchers to those that want to participate in the studies.

Finally, the study of these rare and genetic diseases may lead to treatments that will help many people. For example, we've learned that there is a specific biological link between Down Syndrome and Alzheimer's disease. It's conceivable that the research that can result in the improvement in cognition in Down Syndrome could also prevent the loss of cognition that is seen in Alzheimer's.

These pediatric networks will improve health outcomes for children and adults by encouraging teamwork among the researchers, the patients, and NIH. This is important and positive legislation. I'm proud to support it, and I urge my colleagues to support it.

Mrs. CAPPS. In closing, Mr. Speaker, the National Pediatric Research Network Act is a very important bill, not just for current and future researchers, but for sick children and their families, today and in the future. It's a bipartisan measure that will really leverage

all the good work that is currently being done on pediatric diseases but that will also fill gaps that make it so hard for progress to be made.

I urge full support for this bill, and I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the chairman of the Health Subcommittee, the gentleman from Pennsylvania, JOE PITTS, in support of the legislation.

Mr. PITTS. Mr. Speaker, H.R. 6163, the National Pediatric Research Network Act, seeks to address important unmet needs in pediatric health.

Pediatric research is so important to the health of our children, and it is essential to finding answers for unmet health needs. According to the National Institutes for Health, there are between 6,000 and 7,000 diseases considered rare that affect 25 to 30 million people. Most of the approximately 7,000 rare diseases are pediatric diseases and often genetic. Unfortunately, the doctors do not have sufficient therapies to treat them.

This bill seeks to alleviate that problem by establishing pediatric research networks and consortia. They will help by coordinating research efforts among participating institutions, concentrating that effort on the most pressing needs and enlisting the help of well-trained researchers.

Through my association with Children's Hospital of Philadelphia, I'm aware that there are too many diseases that children and their families face that do not have easy answers, and few adequate treatments. This bill will strengthen basic and clinical research and bring us closer to finding new treatments and cures.

Mr. Speaker, this bill has strong bipartisan support. I urge my colleagues to support the bill.

Mr. UPTON. Mr. Speaker, in closing, I know the hour is late. I would just urge my colleagues to support this bipartisan legislation. I, too, commend every Member that's had a role here and truly appreciate the staff to get this bill prepared and ready for us to vote on tonight.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I am pleased to rise in support of H.R. 6163, the National Pediatric Research Network Act of 2012.

H.R. 6163 represents a bi-partisan effort to allow the National Institutes of Health, NIH, to establish a national pediatric research network dedicated to finding treatments and cures for pediatric diseases and conditions—especially those that are rare. The network would be comprised of up to 20 research consortia or groups of collaborating research institutions such as universities and hospitals. These consortia would be investigator-initiated and would conduct basic, clinical, behavioral, and translational research on pediatric diseases and conditions. NIH funding would be used to create the infrastructure necessary to carry out this research.

Within the network, the NIH Director is instructed to ensure that an appropriate number of awards go to those consortia that focus primarily on pediatric rare diseases such as spinal muscular atrophy—or SMA—or pediatric birth defects such as Down syndrome. These kinds of diseases and conditions are rare and some of the children who suffer from them are very fragile, making it difficult for them to travel great distances to participate in clinical trials or other research. This is often the case when—not infrequently—only one institution is conducting such research. The availability of consortia—by definition, multiple cooperating institutions—should make clinical research opportunities far more accessible to these kids and their families. In turn, we would hope they would help speed up the time and effort in finding treatments and cures for these devastating diseases and conditions.

In addition to the research itself, the consortia are expected to serve as training grounds for future pediatric researchers. Traditionally, pediatric research has been underfunded. This has sometimes resulted in real challenges in recruiting the talent necessary to tackle diseases and conditions that affect kids—again, especially those that are rare. Thus, H.R. 6163 places a special emphasis on pediatric research techniques with the goal of helping to "prime the pump" for a greater number of leading edge pediatric researchers.

Taken together, the components of H.R. 6163 make for a package that would allow NIH to build on the strong body of pediatric research that it currently conducts and supports. I would encourage NIH to take full advantage of this opportunity.

As we move forward with this legislation—here, and hopefully, in the Senate—I want to commend all those members of the Energy and Commerce Committee who have come together to make it happen. I especially want to the note the effort of Congresswoman CAPPS. She is the lead Democratic sponsor of the bill and has worked tirelessly to bring it before us today.

I urge my colleagues to vote "yes" on H.R. 6163.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 6163, as amended.

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

A motion to reconsider was laid on the table.

TAKING ESSENTIAL STEPS FOR TESTING ACT OF 2012

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6118) to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6118

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Taking Essential Steps for Testing Act of 2012".

SEC. 2. SUSPENSION, REVOCATION, AND LIMITATION OF LABORATORY CERTIFICATION.

Section 353 of the Public Health Service Act (42 U.S.C. 263a) is amended—

(1) in subsection (d)(1)(E), by inserting ", except that no proficiency testing sample shall be referred to another laboratory for analysis as prohibited under subsection (i)(4)" before the period at the end; and

(2) in subsection (i)—

(A) in paragraph (3), by inserting before the period at the end of the first sentence the following: ", except that if the revocation occurs pursuant to paragraph (4) the Secretary may substitute intermediate sanctions under subsection (h) instead of the 2-year prohibition against ownership or operation which would otherwise apply under this paragraph"; and

(B) in paragraph (4), by striking "shall" the first place it appears and inserting "may".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on H.R. 6118.

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

There was no objection.

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

Mr. Speaker, I rise today to support H.R. 6118, the Taking Essential Steps for Testing Act of 2012.

H.R. 6118 would give the Centers for Medicare and Medicaid Services much needed regulatory flexibility to enforce prohibitions against improper referrals of proficiency testing under the clinical laboratory improvement amendments.

In order to operate as a business, laboratories must adhere to CMS procedures for processing samples, must share testing results with CMS periodically and are prohibited from intentionally referring testing samples to any other lab.

Currently the Centers for Medicare and Medicaid Services is required under statute to revoke the CLIA certificate of any laboratory that intentionally refers its proficiency testing samples to another laboratory for testing for a period of 1 year.

In addition, the statute requires that a person who has owned or operated a laboratory which has had its CLIA certification revoked, including those owning multiple labs, may not own or operate a laboratory for a period of 2 years following such revocation.

However, there have been instances where a hospital or independent laboratory has accidently referred a PT sample to another lab due to mistakes by employees or through automated systems. In such instances CMS is not allowed by law to consider the circumstances under which the test was accidently referred or if the lab acted in good faith to report and address the incident.

H.R. 6118 would address these issues by amending section 353 of the Public Health Service Act to allow the Secretary discretion to determine whether the 1-year ban on laboratories should be applied and the flexibility to levy immediate sanctions instead of the 2-year prohibition against ownership or operation of the lab.

The legislation enjoys bipartisan support among this body as well as numerous organizations, including the American Clinical Laboratory Association, the American Hospital Association, the College of American Pathologists, and the Clinical Laboratory Management Association, among others.

I would like to thank Congressman GRIMM and Congressman ROSKAM for their work on this legislation, and I urge Members to support the bill.

I reserve the balance of my time.

□ 2110

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the Taking Essential Steps for Testing Act is a bipartisan, sensible bill which will provide the Centers for Medicare and Medicaid Services the flexibility it needs in imposing penalties on clinical laboratories that violate certain recertification procedures. While not commonly discussed, the Clinical Laboratory Improvement Amendments of 1988, or CLIA, is an important law that ensures all labs operating in the United States can be trusted. Under CLIA, all labs must be certified to prove they are qualified to perform clinical tests while meeting quality and safety standards. We can all agree this is a good thing.

Labs are periodically retested to keep their CLIA certification. To do this, labs are required to perform proficiency tests which measure the quality and competency of a lab's work. Unlike some tests that come to a lab that can be sent out to other labs, proficiency tests must be performed in-house. Currently, if a lab is found to have referred a proficiency test to another lab, the Secretary of HHS must revoke that lab's certificate for at least 1 year. This prevents it from participating in Medicare or Medicaid for that period. In addition, the operator of any lab that has had its certificate revoked is barred from owning or operating any certified labs for 2 years.

However, current law does not allow the Secretary any flexibility in imposing these penalties for labs that improperly refer proficiency tests—even when it's an unintentional referral. This has led to labs that are being shut down across the country, potentially affecting patient care and access, even when their actions are not worthy of such a sanction. This is especially pronounced when the sanction occurs on just one lab that is part of a larger health care system, as the penalties apply to the entire system, even if all the other labs happen to be in compliance.

So this legislation would help address these problems by allowing CMS the flexibility to institute lesser sanctions to really address the problem instead of penalizing an entire system for unintentional proficiency test referrals. The bill does so without changing the accountability within the law or making our labs less reliable. And CMS still will be required and able to hold so-called ''bad actors'' accountable.

This bill is a very commonsense reform to CLIA, and I'm pleased to support it. I urge my colleagues to do so as well.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, at this time I yield 4 minutes to the gentleman from New York (Mr. GRIMM).

Mr. GRIMM. Thank you for yielding me time.

Today, I rise in strong support of this legislation, H.R. 6118, the Taking Essential Steps for Testing Act. I would like to thank Chairman UPTON for his leadership, Ranking Member WAXMAN, as well as the Health Subcommittee and their entire staff for their support and dedication to this important bill.

The TEST Act is a bipartisan and bicameral solution to an issue that threatens Americans' access to health care. Under the Clinical Laboratory Improvement Amendments, CLIA, any lab that conducts human specimen testing must have a CLIA certificate and comply with the law's proficient testing, or PT, requirements. CLIA requires labs to treat PT samples as it would a patient sample. However, the law explicitly prohibits a lab from referring a PT sample to another laboratory, although this may be normal for patient procedures. The purpose of this prohibition is to ensure labs submit their own results for PT samples. I believe that this does clearly promote continued patient safety, accurate results, and that a lab is not getting reimbursed for tests it does not or cannot perform.

The concern is that labs which have accidentally referred a PT sample to another lab and self-reported this mistake are being told by CMS that CLIA does not provide any flexibility and therefore their certificates must be revoked. As a result, labs that make a mistake and proactively try to correct it are treated identically to labs that knowingly and in bad faith violate the law.

Without a CLIA certificate, as we have heard, labs are unable to conduct any human specimen testing. For hospitals, this could mean choosing between shutting down essentially all services such as the ER and the operating room or paying millions of dollars to bring in an outside lab for 2 years. Both of these options result in reduced access to health care and other related services for patients.

The TEST Act gives CMS discretion to not revoke a CLIA certificate for a PT referral if it is determined that the lab was acting in good faith. And for labs which are bad actors, the TEST Act does nothing to alter CMS's ability to punish those labs and revoke their certificate. H.R. 6118 also gives CMS the discretion to not apply the revocation to an entire hospital network or other owner-operators based on the facts of a particular case.

In determining whether or not to revoke a CLIA certificate, I urge CMS to consider factors such as the nature of the violation, the lab's history of compliance and past PT experience, whether or not the lab voluntarily reported the referral, any remedial actions taken by the lab, and any recommendations made by the State or applicable accrediting organization.

I would like to end by saying thank you to all of my colleagues that helped support this legislation and urge all my colleagues to vote in favor of H.R. 6118. It's commonsense legislation that ultimately puts patients first.

Mrs. CAPPS. May I ask the chairman if he has any other speakers?

Mr. PITTS. We have no further speakers.

Mrs. CAPPS. Mr. Speaker, in closing, the Taking Essential Steps for Testing Act is a straightforward bill with bipartisan support. It will give CMS tools to effectively deal with labs that unintentionally refer out their proficiency tests, maintain sanctions for labs that intentionally flaunt the law, and ensure that certified clinical labs are there for us when we need them.

I urge support for this bill, and I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I urge support for this commonsense, bipartisan bill, H.R. 6118, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I am pleased that we are taking up H.R. 6118, a bipartisan, non-controversial bill that will provide the Centers for Medicare & Medicaid Services (CMS) with additional flexibility in imposing and enforcing penalties on clinical laboratories under the Public Health Service Act.

The Committee on Energy and Commerce has a long history of being vigilant with respect to quality and safety standards for clinical laboratories. In fact, the Public Health Service Act standards for labs originated in this Committee when JOHN DINGELL, Ed Madigan, RON WYDEN and I sponsored the legislation in the 1980's.

All laboratories in the United States must be certified and meet certain quality and safety standards. To maintain certification, laboratories must periodically perform proficiency tests, which measure the quality of a lab's work. These proficiency tests must be performed in-house—as the test is intended to measure that specific lab's quality and competency.

If a lab is found to have intentionally referred a proficiency testing sample to another laboratory, the Secretary of HHS must revoke that lab's CLIA certificate for at least 1 year (thereby preventing it from billing Medicare or Medicaid for that period). In addition, the owner or operator of any lab that has had its CLIA certificate revoked is barred from owning or operating any CLIA-certified laboratory for 2 years.

Current law does not allow the Secretary any flexibility in imposing these penalties for

labs that improperly refer proficiency tests—even for an unintentional referral.

Equally importantly, there have been a number of changes in the organization and delivery of health care since these penalties provisions were enacted. In particular—the growth of health systems that have many providers joining together to operate under the same umbrella. In the case of laboratories, one hospital system may own and operate a number of labs. If one lab is found to have a proficiency testing violation, all of the labs under the hospital's system would be barred from Medicare—even if those labs had no quality or proficiency testing issues.

This is not a sensible result. This legislation would address that problem.

First, H.R. 6118 ensures the statute is clear on the point that no proficiency testing sample may be referred to another laboratory even if such referral would be part of the testing lab's standard procedure for patient specimens (a point of existing law on which some providers have been confused).

Second, it grants the Secretary discretion in determining whether to revoke a lab's CLIA certificate for improper referrals of PT testing samples—to account for the case of unintentional error.

Finally, the bill would grant the Secretary discretion to apply alternate sanctions in lieu of the 2-year owner/operator ban if a CLIA certificate has been revoked due to an improper proficiency testing referral, correcting the problem of having to ban all labs in a health system, even if the others had no known problems.

The Taking Essential Steps for Testing Act would address that issue, striking a balance to ensure quality protections remain, yet giving the Secretary the flexibility to more appropriately tailor penalties for violations of the law. I'm pleased to support this bill today.

Mr. UPTON. Mr. Speaker, H.R. 6118, the Taking Essential Steps for Testing (TEST) Act of 2012, is an important measure that grants CMS the necessary flexibility to enforce its rules without unnecessarily punishing employers for unintentional acts.

Under current law, laboratories must adhere to CMS procedures for processing testing samples in order to do business under the Clinical Laboratory Improvement Amendments (CLIA) law. In addition, they are prohibited from intentionally referring testing samples to other labs.

Unfortunately, CMS is not allowed to look at the circumstances under which labs refer samples, and must levy the same penalties for those operating in good faith as those knowingly and willfully breaking the law. These penalties include the loss of a lab's certification for a year and a prohibition against the owner operating any lab for a period of two years.

In instances where a hospital or independent laboratory has accidentally referred a sample due to mistakes by employees or through automated systems, these penalties can be needlessly harsh and threaten the livelihood of American workers. H.R. 6118 would address these issues by allowing the Secretary discretion when determining penalties.

The legislation has received bipartisan support among this body as well as numerous organizations. I would like to commend Congressmen GRIMM and ROSKAM for their work and urge Members to support its passage.

Mr. ROSKAM. Mr. Speaker, I rise today to express my support for H.R. 6118, the ''Taking Essential Steps for Testing Act of 2012'' or TEST Act. This legislation will give the Centers for Medicare and Medicaid (CMS) greater leeway when dealing with hospitals and laboratories across the nation.

Last year I was contacted by a hospital in my Congressional District who informed me that they had unintentionally referred a proficiency test to an outside lab because the lab technician was following patient procedure. They informed me that because of this error they would be forced to potentially close the lab and essentially fire the lab director. Upon further investigation, I was troubled to learn that the same problem was occurring across the country because CMS lacked the authority to handle these cases in any other fashion.

This is why I was happy to work with my good friend from New York, Mr. GRIMM, and Mr. ROSS from Arkansas, as well as Senators BOOZMAN, KLOBUCHAR, and SHAHEEN, to come up with a simple, commonsense solution to the problem. While working with CMS and our friends across the aisle, we were able to demonstrate that this institution is still capable of recognizing problems and pursuing solutions for the people we represent back home.

It is my hope that the Senate will quickly take up this legislation and send it to the President for signature so we can help provide regulatory relief to our nation's hospitals and labs.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 6118.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

VETERAN EMERGENCY MEDICAL TECHNICIAN SUPPORT ACT OF 2012

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4124) to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4124

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veteran Emergency Medical Technician Support Act of 2012''.

SEC. 2. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

(a) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

''SEC. 315. ASSISTING VETERANS WITH MILITARY EMERGENCY MEDICAL TRAINING TO MEET REQUIREMENTS FOR BECOMING CIVILIAN EMERGENCY MEDICAL TECHNICIANS.

''(a) PROGRAM.—The Secretary shall establish a program consisting of awarding demonstration grants to States to streamline State requirements and procedures in order to assist veterans who completed military emergency medical technician training while serving in the Armed Forces of the United States to meet certification, licensure, and other requirements applicable to becoming an emergency medical technician in the State.

''(b) USE OF FUNDS.—Amounts received as a demonstration grant under this section shall be used to prepare and implement a plan to streamline State requirements and procedures as described in subsection (a), including by—

''(1) determining the extent to which the requirements for the education, training, and skill level of emergency medical technicians in the State are equivalent to requirements for the education, training, and skill level of military emergency medical technicians; and

''(2) identifying methods, such as waivers, for military emergency medical technicians to forego or meet any such equivalent State requirements.

''(c) ELIGIBILITY.—To be eligible for a grant under this section, a State shall demonstrate that the State has a shortage of emergency medical technicians.

''(d) REPORT.—The Secretary shall submit to the Congress an annual report on the program under this section.

''(e) FUNDING.—Of the amount authorized by section 751(j)(1) to be appropriated to carry out section 751 for fiscal year 2013, there is authorized to be appropriated to carry out this section $1,000,000 for the period of fiscal years 2013 through 2017.''.

(b) CONFORMING AMENDMENT.—Section 751(j)(1) of the Public Health Service Act (42 U.S.C. 294a(j)(1)) is amended by striking ''There is authorized to be appropriated'' and inserting ''Subject to section 315(e), there is authorized to be appropriated''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 4124.

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

There was no objection.

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

Mr. Speaker, I rise this evening in support of H.R. 4124, the Veteran Emergency Medical Technician Support Act of 2012. This act would take us forward

in two important ways: it would reduce the shortages of emergency medical technicians in the United States and at the same time help our veterans find employment.

Emergency response is a crucial component of our health care system and preparedness strategy. EMTs are often the first point of contact in a crisis situation, and their care can make the difference between life and death. Emergency response is even more crucial on the battlefield, where military medics respond to emergencies and provide care for the soldiers until a physician or other health professional can take over. These soldiers, trained as combat medics, become very experienced dealing with massive trauma injuries and other complex health problems.

□ 2120

It seems that utilizing those with military medic training in our EMT workforce here at home would be good for the returning soldiers, good for the health care system, and good for patients.

Areas throughout the United States are experiencing a shortage of EMTs, and military medics could potentially fill those workforce gaps. However, there are a number of issues keeping military medics from EMT employment. Most importantly are State licensing requirements, which can require duplicative training and education that is likely to be unnecessary for someone with significant experience.

It is our hope that this bill would allow States to study this issue and streamline their EMT requirements for those returning from the military that have the experience so desperately needed in many communities.

I would like to thank Mr. KINZINGER, a veteran who has served with many of these military medics, and Mrs. CAPPS for their work on this bill. I urge my colleagues to vote in support of this legislation.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, our military men and women are trained to perform at the highest levels in a host of jobs. The individuals who serve our Nation in uniform do so with distinction.

However, there is much more to be done to help our service men and women and their families when they return home to translate those skills and experiences into civilian service. That disconnect is what we are trying to address here today.

Our military men and women receive some of the best technical training in emergency medicine, and every day, on the battlefield, they prove their skills under the very toughest of conditions. However, when they return home, experienced military medics are often required to start over. They must begin at entry-level curricula to receive certification for civilian jobs.

Similarly, military medics with civilian credentials often must let their civilian certifications lapse while they're defending our country. Either way, this keeps our veterans out of the civilian workforce and withholds valuable medical personnel from our communities.

As a nurse, I know the importance of having qualified and capable first responders in each of our communities, and that is why we must do all we can to break down the artificial barriers that obstruct our military medics from civilian opportunities.

So I am pleased to have joined Congressman KINZINGER to introduce H.R. 4124, which is the Veteran Emergency Medical Technician Support Act. This bill is a straightforward, bipartisan approach to help States streamline their certification processes to take military medic training into account for civilian licensure.

It's a small but very important step towards breaking down the barriers that our servicemembers face when transitioning home.

While the bill directs States to undertake these demonstration projects, I believe public and private organizations within the States, like area health education centers, or AHECs, will be important partners in the successful implementation of this initiative. This will help engage and leverage expertise already in our States and communities so that we can do our best by our veterans.

I also want to take a moment to thank the leadership of the Energy and Commerce Committee, Chairman UPTON, Ranking Member WAXMAN, Chairman PITTS, and Ranking Member PALLONE for their dedication to this bill and to the staff for working in a bipartisan manner to bring this to the floor.

Finally, I want to take a second to recognize a former congresswoman, Jane Harman, who spearheaded this issue in the last Congress.

I urge my colleagues' support for this legislation, and I look forward to swift consideration of it in the Senate.

At this point, Mr. Speaker, I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I would like to yield at this time 5 minutes to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Speaker, I want to first off thank the chairman for bringing this bill forward. I want to thank Chairman UPTON, the ranking member of both the full and subcommittee, and I especially want to thank Congresswoman CAPPS for helping me on this. This is an outstanding bill, and I thank you for your leadership.

Unemployment rates continue to be far too high among our men and women who are returning from Iraq and Afghanistan. Returning veterans deserve a smooth transition from the military into the civilian workforce. As a Nation, we must recognize the experience and education that our military-trained EMTs receive. It's inefficient to force these well-trained veterans to start over with basic training in the civilian workforce after aiding wounded military men and women who are severely injured in combat.

We must recognize military-trained EMT skills and education and streamline the process so these honorable men and women can return quickly to work here at home.

We also need to recognize that training and education of these EMTs and the education that they receive in the military is important, and we must streamline the civilian certification process so these honorable men and women can return to work even faster.

I'm a pilot in the military, and I still continue as an Air National Guard pilot. One of the things that really stood out to me was how I went through training with the military and came out and very quickly was able to receive all of the civilian equivalent certifications from what I got in the military.

Now, that really stands out to me as how we, both in the Federal Government and in the State, ought to consider doing business and recognize the skill that these military folks are trained with.

This bill is a commonsense way to help our veterans as they transition back to civilian life. By supporting States to make the process more efficient, veterans with military EMT training will more quickly become certified civilian EMTs. In doing so, they will not have to start over at square one in their training, and they can be ready to go.

I urge my colleagues to support this commonsense bill.

Mrs. CAPPS. In closing, Mr. Speaker, I also wish to thank my colleague, Mr. KINZINGER, for his leadership and his experience in the military, which led him to be very interested in this topic as well.

The Veteran Emergency Medical Technician Support Act is a small but very important step toward helping our military medics transition to civilian EMT service, and it is a bipartisan measure. It fills a need both in the veterans' community and also in our health care communities.

I urge full support for this bill, and I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, as a veteran I appreciate the efforts of Mr. KINZINGER and Mrs. CAPPS and others in this commonsense and very bipartisan bill to support our veterans and provide for this need in the emergency medical technician area.

I urge support for the bill, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, each of us is deeply indebted to the members of our military for their patriotism and for all they do to protect our country and its national interests.

We know that our returning vets have unique skills and experiences that make them highly-qualified for jobs in the health care and

other sectors. However, the unfortunate reality is that our veterans experience unemployment rates well above the national average.

Congresswoman CAPPS and Congressman KINZINGER have introduced common-sense legislation—H.R. 4124—to advance our shared goals of getting our veterans back to work and addressing areas of shortage in health professions. Congresswoman CAPPS has also authored legislation—H.R. 3884, the Emergency Medic Transition Act of 2012—that similarly seeks to help armed services personnel transition from military to civilian jobs in a timely fashion.

H.R. 4124 authorizes a demonstration grant program to states to support planning efforts to streamline their certification and licensure requirements for emergency medical technicians. As Congresswoman CAPPS has noted, I think there is a role for partnerships between public and private organizations within the States—such as area health education centers—in the implementation of this program.

I urge my colleagues to support H.R. 4124, and I commend Congresswoman CAPPS and Congressman KINZINGER for their work on this legislation.

Mr. UPTON. Mr. Speaker, H.R. 4124, the Veteran Emergency Medical Technician Support Act of 2012, provides two important benefits. It addresses the shortages of emergency medical technicians (EMT) and it helps get our veterans back to work.

Military medics receive some of the best medical and emergency training available while they serve our country.

Yet, not all military medical training satisfies civilian EMT licensing and certification requirements. As a result, our returning veterans are unnecessarily prevented from working as an EMT when they re-enter civilian life.

This bill will examine ways that states with a shortage of EMTs can streamline requirements so that military medics do not have to duplicate the education and training they received on the battlefield. Our vets will be put back to work, and critical workforce shortages in emergency care can be filled to meet public health needs.

I proudly support this bill and urge my colleagues to support it. I yield the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 4124, as amended.

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

A motion to reconsider was laid on the table.

RECALCITRANT CANCER RESEARCH ACT OF 2012

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 733) to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 733

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Recalcitrant Cancer Research Act of 2012''.

SEC. 2. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417G. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

''(a) DEVELOPMENT OF SCIENTIFIC FRAMEWORK.—

''(1) IN GENERAL.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall develop (in accordance with subsection (c)) a scientific framework for the conduct or support of research on such cancer.

''(2) CONTENTS.—The scientific framework with respect to a recalcitrant cancer shall include the following:

''(A) CURRENT STATUS.—

''(i) REVIEW OF LITERATURE.—A summary of findings from the current literature in the areas of—

''(I) the prevention, diagnosis, and treatment of such cancer;

''(II) the fundamental biologic processes that regulate such cancer (including similarities and differences of such processes from the biological processes that regulate other cancers); and

''(III) the epidemiology of such cancer.

''(ii) SCIENTIFIC ADVANCES.—The identification of relevant emerging scientific areas and promising scientific advances in basic, translational, and clinical science relating to the areas described in subclauses (I) and (II) of clause (i).

''(iii) RESEARCHERS.—A description of the availability of qualified individuals to conduct scientific research in the areas described in clause (i).

''(iv) COORDINATED RESEARCH INITIATIVES.—The identification of the types of initiatives and partnerships for the coordination of intramural and extramural research of the Institute in the areas described in clause (i) with research of the relevant national research institutes, Federal agencies, and non-Federal public and private entities in such areas.

''(v) RESEARCH RESOURCES.—The identification of public and private resources, such as patient registries and tissue banks, that are available to facilitate research relating to each of the areas described in clause (i).

''(B) IDENTIFICATION OF RESEARCH QUESTIONS.—The identification of research questions relating to basic, translational, and clinical science in the areas described in subclauses (I) and (II) of subparagraph (A)(i) that have not been adequately addressed with respect to such recalcitrant cancer.

''(C) RECOMMENDATIONS.—Recommendations for appropriate actions that should be taken to advance research in the areas described in subparagraph (A)(i) and to address the research questions identified in subparagraph (B), as well as for appropriate benchmarks to measure progress on achieving such actions, including the following:

''(i) RESEARCHERS.—Ensuring adequate availability of qualified individuals described in subparagraph (A)(iii).

''(ii) COORDINATED RESEARCH INITIATIVES.—Promoting and developing initiatives and partnerships described in subparagraph (A)(iv).

''(iii) RESEARCH RESOURCES.—Developing additional public and private resources described in subparagraph (A)(v) and strengthening existing resources.

''(3) TIMING.—

''(A) INITIAL DEVELOPMENT AND SUBSEQUENT UPDATE.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall—

''(i) develop a scientific framework under this subsection not later than 18 months after the date of the enactment of this section; and

''(ii) review and update the scientific framework not later than 5 years after its initial development.

''(B) OTHER UPDATES.—The Director of the Institute may review and update each scientific framework developed under this subsection as necessary.

''(4) PUBLIC NOTICE.—With respect to each scientific framework developed under subsection (a), not later than 30 days after the date of completion of the framework, the Director of the Institute shall—

''(A) submit such framework to the Committee on Energy and Commerce and Committee on Appropriations of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions and Committee on Appropriations of the Senate; and

''(B) make such framework publically available on the Internet website of the Department of Health and Human Services.

''(b) IDENTIFICATION OF RECALCITRANT CANCER.—

''(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Director of the Institute shall identify two or more recalcitrant cancers that each—

''(A) have a 5-year relative survival rate of less than 20 percent; and

''(B) are estimated to cause the death of at least 30,000 individuals in the United States per year.

''(2) ADDITIONAL CANCERS.—The Director of the Institute may, at any time, identify other recalcitrant cancers for purposes of this section. In identifying a recalcitrant cancer pursuant to the previous sentence, the Director may consider additional metrics of progress (such as incidence and mortality rates) against such type of cancer.

''(c) WORKING GROUPS.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall convene a working group comprised of representatives of appropriate Federal agencies and other non-Federal entities to provide expertise on, and assist in developing, a scientific framework under subsection (a). The Director of the Institute (or the Director's designee) shall participate in the meetings of each such working group.

''(d) REPORTING.—

''(1) BIENNIAL REPORTS.—The Director of NIH shall ensure that each biennial report under section 403 includes information on actions undertaken to carry out each scientific framework developed under subsection (a) with respect to a recalcitrant cancer, including the following:

''(A) Information on research grants awarded by the National Institutes of Health for research relating to such cancer.

''(B) An assessment of the progress made in improving outcomes (including relative survival rates) for individuals diagnosed with such cancer.

''(C) An update on activities pertaining to such cancer under the authority of section 413(b)(7).

''(2) ADDITIONAL ONE-TIME REPORT FOR CERTAIN FRAMEWORKS.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall, not later than 6 years after the initial development of a scientific framework under subsection (a), submit a report to the Congress on the effectiveness of the framework (including the update required by subsection (a)(3)(A)(ii)) in improving the prevention, detection, diagnosis, and treatment of such cancer.

''(e) RECOMMENDATIONS FOR EXCEPTION FUNDING.—The Director of the Institute shall

consider each relevant scientific framework developed under subsection (a) when making recommendations for exception funding for grant applications.

''(f) DEFINITION.—In this section, the term 'recalcitrant cancer' means a cancer for which the five-year relative survival rate is below 50 percent.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentlewoman from California (Ms. ESHOO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 733.

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

There was no objection.

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

Mr. Speaker, I rise today to support H.R. 733, the Recalcitrant Cancer Research Act of 2012.

This act will bring new hope to patients with cancers.

It is never easy to lose someone to cancer, but it is especially difficult when you are not even given a fighting chance.

Cancers with low survival rates and poor outcomes have baffled researchers for more than 40 years. These are recalcitrant cancers.

While survival rates for many cancers have climbed from 50 percent to 67 percent, there are still cancers that have yet to reach the 50 percent benchmark.

While there are various types of cancers that fall under this definition, nearly half of the 577,190 cancer deaths expected in 2012 will be caused by eight deadly cancers, including pancreatic and ovarian cancer.

□ 2130

This bill will direct the National Cancer Institute to establish a scientific framework for the study of recalcitrant cancers. Working groups will be appointed to prepare the framework that will include a review of current research and identification of key research questions and a summary of promising discoveries. The NIH would then be required to issue a report to Congress with recommendations on the effectiveness of the scientific framework model so that we can ensure that progress is being made and determine whether this type of model should be expanded to other types of diseases and conditions.

I urge my colleagues to vote in support of the legislation, and I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of my legislation, H.R. 733, which was originally named the Pancreatic Cancer Research and Education Act, which has now been renamed to be the Recalcitrant Cancer Research Act of 2012.

I first introduced this bill in the 110th Congress in honor of a very dear friend, Ambassador Richard Sklar, who was a victim of this devastating disease.

Pancreatic cancer is a disease from which very few people survive. It's essentially a death sentence. It's because of the families, their friends, neighbors, doctors, and coworkers who have advocated for much better research and treatments that we've made it to the finish line legislatively and that we are here this evening.

Sadly, the outcomes for those with pancreatic cancer have remained relatively unchanged since the passage of the National Cancer Act nearly 40 years ago. Only 6 percent of people diagnosed with the disease live longer than 5 years. Let me say that again. Only 6 percent of people diagnosed with pancreatic cancer live longer than 5 years; 75 percent die within a year of diagnosis. Pancreatic cancer remains one of the most lethal types of cancers, even as survival rates for other cancers have increased.

The Pancreatic Cancer Research and Education Act, which I introduced with my wonderful colleague, a real gentleman of the House, Representative LEONARD LANCE, directs the National Cancer Institute, the NCI, to develop a long-term strategic plan for addressing the disease, bringing together the finest minds in our country with the best expertise in this area. The plan will be used by the agency as a roadmap for navigating the best way forward in research for early detection, for new diagnostic tools, treatment therapies, and even cures.

While pancreatic cancer is one of the most devastating of all recalcitrant cancers, or those with a high mortality rate and few treatments, it's certainly not the only cancer that needs increased attention. That's why I've worked closely with my colleagues on both sides of the aisle to expand our legislation to include all recalcitrant cancers so that we can make progress in other areas, too.

I'm exceedingly proud to say that this bill enjoys the bipartisan cosponsorship of 293 Members of the United States House of Representatives. I want to thank Chairman UPTON, FRED UPTON, whom I cajoled, whom I pestered, whom I pleaded with, whom I constantly kept after. He reminded me that I needed patience. I kept reminding him that I've been at it for 6 years. But he listened, and I appreciate that and I salute him for it.

To the ranking member of the full committee, Mr. WAXMAN, to the staffs of the majority, both the Health Subcommittee, the full committee majority staff and the minority staff, I want to thank them as well, because without them we really cannot get our work done.

I also want to say how proud I am and grateful I am for the efforts of the pancreatic cancer advocates who had the courage to share their painful stories with their Representatives and educate them about the importance of this legislation. I would also like to make mention of Senator SHELDON WHITEHOUSE, who is the author in the other body and has been a marvelous advocate and carrier of this legislation. And last but not least, I'd like to pay tribute to Erin Katzelnick-Wise of my staff, who, for all of this time—over three Congresses—has worked diligently and vigorously and loyally on this bill.

I look forward to seeing H.R. 733 signed into law by the President so that we can begin the important work of finding a cure for pancreatic cancer, as well as the other cancers that take the lives of our fellow Americans every day. I think with the passage of this and the signature of it, the American people will say, at last, at last the Congress has acted on a bipartisan basis on something that is of utmost importance and urgency to the American people.

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

Mr. PITTS. Mr. Speaker, at this time I would like to yield 3 minutes to the chair of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, this legislation, H.R. 733, the Recalcitrant Cancer Research Act of 2012, will indeed take important steps to improve outcomes for cancer patients.

For the many Americans who have been diagnosed with a hard-to-treat cancer, hope is not easy to come by. These patients have heard all about the advances in cancer treatments and cures but are left to wonder why there isn't some help for them. Unfortunately, their cancers do not respond to traditional treatments and, as a result, have had very few improvements in prevention, diagnosis, and treatment in decades.

Take, for example, pancreatic cancer. According to the NIH, it is estimated that 44,000 men and women will be diagnosed with this cancer this year, of which 35,000 will die. The 5-year survival rate is less than 6 percent, compared to other cancers with survival rates of over 90 percent.

This bill will guide efforts at the National Cancer Institute in identifying the scientific framework that will outline those unanswered medical and scientific questions that will help to focus research efforts for those deadly cancers. Ensuring the availability of qualified researchers and important resources, such as patient registries, will also move the process forward.

Tonight we work to provide patients and their families a little more hope. This bipartisan legislation is an important step as we continue to see breakthrough advances in cancer research, particularly for those cancers whose survival rates remain low and treatment options are limited.

I want to thank Chairman WAXMAN and his staff, as well as Chairman HARKIN and Ranking Member ENZI of the Senate committee, which passed the Senate version of this bill today in committee, for enabling us to be on the verge of really getting this legislation into law, which is one of the reasons why we bypassed the full committee.

We were delighted to pass this legislation last week in subcommittee, and I singled out particularly my friends, ANNA ESHOO and LEONARD LANCE, for their stalwart work on moving this legislation. And I've got to tell you, the many times we met and chatted about this legislation, I was given an update on the number of bipartisan cosponsors from 233 to 240, and now 290-something that are there. It is, indeed, a bipartisan piece of legislation.

One of the reasons why we bypassed the full committee this week in markup—which began, actually, this afternoon and we'll finish tomorrow—is we wanted to get this bill to the floor right away so that we don't even have to wait for a lame duck session to get it signed into law. So I would hope that my Senate colleagues move this quickly.

But I just really want to thank my friends, ANNA ESHOO and LEONARD LANCE, for their great work. The staff that put this together—I'll tell you, in sitting down with the NIH folks 2 weeks ago, we've really expanded. We've broadened this to include more than just pancreatic, how this started.

□ 2140

We have the stakeholders now on board that are excited about this legislation and what it will hold. The private sector out there—and, man, we've sure heard from them over the last year or so—but I know, too, that they are very happy with the passage of this tonight. It's a dream that's come true thanks to you.

Ms. ESHOO. Mr. Speaker, I would just like to add to the comments that I made earlier that this is really highly unusual that a bill would enjoy such high co-sponsorship.

So, to the advocates that may be tuned in tonight, I, again, want to pay homage to them for their advocacy, for their tenacity, for their turning their real pain and loss into something that is worthy of those that were lost. Almost 1,000 bills were referred to the Energy and Commerce Committee during this, the 112th Congress. There was no other bill that enjoyed the high number, 293 bipartisan cosponsors.

This Congress has been really torn a part by so much disagreement, a high amount of nonpartisanship, people all over the country really scratching their heads and saying, can anyone ever come together in Congress to get something done for the American people. And while I wish there were so much more, I think that this stands tall and is an eloquent statement about my colleagues that signed on to this as cosponsors.

And I thank, again, the leadership on both sides of the aisle, the staff that is so wonderfully responsible for the beautiful work that's done and, again, close my comments by paying tribute to the Republican leader on this legislation, Representative LEONARD LANCE, who is a genuine gentleman, an outstanding legislator, a good friend, and a man of real integrity.

I say bravo to all of the advocates. God bless you all.

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

Mr. PITTS. Mr. Speaker, at this time I would like to yield 4 minutes to the gentleman from New Jersey, (Mr. LANCE), a member of the Health Subcommittee.

Mr. LANCE. Mr. Speaker, I rise tonight in strong support of this legislation that I have had the honor of cosponsoring with my friend and colleague, Congresswoman ANNA ESHOO of California. The legislation improves the prevention, the diagnosis, and the treatment of cancers with high mortality rates, including pancreatic cancer.

Since President Nixon declared the war on cancer 40 years ago, the overall 5-year survival rate for all a cancers has climbed from approximately 50 percent to 67 percent. There are, however, cancers such as pancreatic cancer that still have high mortality rates and have not seen substantial progress in diagnoses or treatment of the disease. These so-called ''recalcitrant cancers'' are among the deadliest diseases and are the very types of cancers that this bill seeks to address.

This legislation will direct the National Cancer Institute to establish a scientific framework that will guide research efforts on recalcitrant cancers by identifying unanswered medical and scientific questions. This framework seeks to bring together the brightest minds from Federal health agencies, from academia, and from private research fields with the hope of yielding new treatments and cures for recalcitrant cancers.

I thank Chairman PITTS and Ranking Member PALLONE of the Health Subcommittee for their steadfast support of the bill; and I thank the chairman of the full committee, Mr. UPTON, and the ranking member, Mr. WAXMAN, for their essential help.

At a time when so many Americans are concerned about the lack of bipartisanship in Congress, this legislation is an example where members of the House Energy and Commerce Committee work together, as we so often do, on critical health care issues. This legislation will reach the President's desk. This is the way Congress should work.

I give special recognition to Congresswoman ESHOO for her tireless efforts, not only in support of this legislation, her legislation, but for her advocacy throughout her public life in support of cancer research and education.

I also thank Senator WHITEHOUSE for his work on this issue. And I thank Jeff Last, of my staff, for all that he has done on this important legislation.

Also, Mr. Speaker, I thank Lisa Swayze for her advocacy in support of the pancreatic cancer issue, advocacy in memory of her husband, the great actor and dancer, Patrick Swayze.

On a personal note, when my twin brother, Jim, and I were 12 years old, we lost our mother to cancer after a valiant 3-year battle. I dedicate whatever modest work I have done on this issue in her memory.

I urge my colleagues to support the Recalcitrant Cancer Research Act.

Mr. PITTS. Mr. Speaker, in conclusion, I want to commend the advocacy of Mr. LANCE and Ms. ESHOO, the leadership, Mr. UPTON, the ranking member of the full committee and the subcommittee, and thank the staffs of both the subcommittee and the full committee for their tireless work in putting together this bipartisan compromise, an excellent bill. And I urge support from the Members for H.R. 733, the Recalcitrant Cancer Research Act of 2012.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, this bill is an example of Congress functioning at its best. As introduced, Congresswoman ESHOO and Congressman LANCE's legislation addresses a policy goal that resonates with many of us—making progress in our fight against pancreatic cancer. In fact, nearly 300 Members of the House—Democrats and Republicans alike—are co-sponsors of this legislation.

Through the Committee process, Members and staff worked on a bipartisan basis to respond to input from the National Institutes of Health and National Cancer Institute (NCI), pancreatic cancer advocates, and cancer researchers. I believe the end result—the bill before us today—represents a fair and balanced approach.

H.R. 733 now focuses on a broader category of cancers, the so-called recalcitrant or deadliest cancers. The legislation directs the NCI to develop scientific frameworks to guide research efforts on recalcitrant cancers—defined as those cancers with 5-year relative survival rates below 50 percent. The bill requires the Director of the NCI to complete frameworks for at least 2 recalcitrant cancers that meet additional criteria set forth in the bill—having a 5-year survival rate of less than 20 percent and causing at least 30,000 estimated deaths—within 18 months of enactment. It is my expectation that NCI will begin first with pancreatic and lung cancer. But in doing so, I also expect NCI to consider applying the scientific framework model to other recalcitrant cancers.

Importantly, the bill ensures there will be an opportunity for outside experts to offer their perspective as the Director of NCI works to complete each scientific framework. H.R. 733 also calls on NCI to submit each completed framework to Congress and post it on the Department of Health and Human Services' website.

No doubt, many Members like myself have met with constituents and heard the heart-wrenching stories of those families who have been impacted by pancreatic cancer. The unfortunate reality is that we rarely hear from

survivors of pancreatic cancer themselves since they are so few. In California alone, nearly 4,000 people will lose their lives to pancreatic cancer this year. An additional 12,000 Californians will die from lung cancer. Their families—and many others—have asked for our support in improving the diagnosis and treatment of pancreatic, lung, and other recalcitrant cancers.

There's no disputing that great progress has been made in our fight against cancer over the past 40 years. Consider for example the improvement we've seen in the overall five-year relative survival rate for all cancers, and the important discoveries that NCI has made through its Cancer Genome Atlas program in understanding what makes one cancer different from another. Nonetheless, there are certain cancers where we haven't seen as many gains. That's precisely why I support the approach taken in H.R. 733.

I'm very proud of the work of Chairman UPTON, Chairman PITTS, Ranking Member PALLONE, Congresswoman ESHOO, and Congressman LANCE—as well as all of our staff—on this issue. I urge my colleagues to support passage of this bill.

Mr. FATTAH. Mr. Speaker, I proudly cast a "yea" vote in support of H.R. 733, the Pancreatic Cancer Research and Education Act, with the memory of Elmer Chenault in mind. This important legislation will address the high mortality rate associated with Pancreatic Cancer. Mr. Chenault, my father-in-law, was a senior management officer and federal compliance official of the Environmental Protection Agency, Army veteran of the Korean War and a devoted family man. Elmer spent his working career in the scientific and environmental fields and was one of the first officials of the EPA, joining it shortly after it was founded in 1970 under President Richard M. Nixon. He grew up in Wyoming, Ohio, a suburb of Cincinnati. Joining the EPA in the early '70s, Elmer became a tireless advocate for environmental justice for communities of color and the economically disadvantaged.

His passing was a trying time for my family, an experience too many know too well when confronting this terrible disease, and his loss continues to be felt by many in Philadelphia. I thank my colleague from California for her stalwart support for this legislation and look forward to a time when no family must face the scourge of Pancreatic Cancer.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 733, as amended.

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

The title was amended so as to read: "A bill to provide for scientific frameworks with respect to recalcitrant cancers.".

A motion to reconsider was laid on the table.

MOURNING THE LOSS OF SHERIFF LARRY DEVER

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

Mr. FLAKE. Mr. Speaker, Arizonans were greeted this morning with the unwelcome news that Cochise County Sheriff, Larry Dever, passed away last night in an automobile accident. The great State of Arizona is in a state of mourning.

Respected throughout the State as a leader and a lawman, Sheriff Dever was also recognized nationally as an authority on immigration and border issues. Every Senator, Congressman, Governor, and local official who wanted to know what was really happening in southern Arizona sought Sheriff Dever's counsel. No meetings or briefings, Powerpoint presentations, flip charts, or easels could compare to a couple of hours in the passenger seat of his pickup truck, driving bumpy roads, one-on-one with the sheriff.

To us, Sheriff Dever was the consummate lawman: tough, fair-minded, straight shooting, no nonsense. To his wife, Nancy, he was a devoted husband. To his six sons, he was a caring father. To his 11 grandchildren, he was a proud and doting grandfather.

To those of us who call Arizona home, we are grateful for the past 60 years that Sheriff Dever has called Arizona home as well.

(2150)

STOP THE WAR ON COAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from West Virginia (Mrs. CAPITO) is recognized until 10 p.m. as the designee of the majority leader.

Mrs. CAPITO. Thank you, Mr. Speaker.

We have 10 minutes here, and I am very proud to be here tonight to talk about a bill that is on the floor on Friday, and that is the Stop the War on Coal Act of 2012. I hail from the great State of West Virginia, one of the largest coal-producing States in this Nation. Quite frankly, I am here for three reasons.

The first reason is that I am extremely concerned about the job loss and the economic devastation that this war on coal is having on our State of West Virginia. We had really sad news just yesterday. Alpha Coal announced that 1,200 coal mining jobs in the region were going to be cut. Now, that sounds like a lot of jobs, but then when you think about it, that's 1,200 families, and that's 1,200 men and women who will come home tonight and who came home last night. So we say we're going to have to do something.

And why is it? We don't have enough time to get into all of the details, but I do think it is part and parcel of the regulatory environment of this administration, that it's the philosophy of this administration that coal is not good for the country, and it's a lack of education, really, on the acknowledgment of the base load energy that coal brings to this Nation.

I am here to stand up for the families and businesses that are going to see a rise in their electric bills. I am also here for the reliability of the electric grid to make sure that we have affordable energy.

I would like to bring my friend from Pennsylvania in. We've been waiting a while. The Stop the War on Coal Act is coming up on Friday, which the President's energy plan is destroying, if you can even call it a plan. I mean, we're from an all-of-the-above plan. We've worked together on this, Mr. MURPHY and I. We've already lost over 2,000 jobs, and 55 units are going to retire across America, in large part, due to EPA rules and regulations. How many jobs is that? These Boiler MACT rules, these Utility MACT rules, coal ash rules are all job killers.

I would like to yield to the gentleman from Pennsylvania, since we're on limited time, and ask him to give his perspectives on what we know is a war on coal.

Mr. MURPHY of Pennsylvania. I thank the gentlelady from West Virginia. Thank you also for your tireless advocacy for coal as we are here fighting the war on coal.

It's interesting. I remember when I was attending college at Wheeling Jesuit University. Oftentimes, for charitable activities, we'd go into the mountains of Appalachia and help families where coal mines had shut down because they were played out, and we'd seen the incredible poverty there. We also know that, over the last century, miners toiled for years in those coal patch towns and tried to make things safer, and they accomplished that. They worked for better wages, and they accomplished that. Now they're fighting for their very existence and their jobs and livelihoods.

To add to what you're saying about the jobs here, this is not just coal miners. It's the manufacturers who make the longwall equipment—the continuous miners, the rails, the wire, the ventilators, the elevators, the safety equipment. They are fighting for their jobs. It's the railroads, the trucks, the barges, the workers who make the rails, the hopper cars, the barges, the trucks who are there, fighting for their jobs.

Where will they go? Really, this is not just an attack on some of the power plants. We may lose 175 or so initially. The goal is to shut down 400 power plants altogether. What will happen then?

Now, this keeps the President's pledge that, if you want to use coal, it will bankrupt you, but it's also going to bankrupt these families when they can't pay their bills when their electric rates go up. They're already paying $3,000 more per year for their gasoline for their cars. Interior Secretary Ken Salazar told the Democratic National Convention:

Under President Obama's leadership, the U.S. moved forward with an all-of-the-above energy strategy—oil, gas, nuclear, hydro,

biofuels, wind, geothermal, solar. All of it, he said. What's missing is coal.

If we're not going to build a new power plant, that's also jobs not just for the miners. It means no jobs for the boilermakers, the electrical workers, the ironworkers, the steamfitters, the plumbers, the insulators, the carpenters, the laborers, the operating engineers, the cement masons, and the steelworkers. That means, down in southwestern Pennsylvania, in Greene County, where 43 percent of their income is coal, they won't have that income. Washington County will also suffer, and so many Americans will suffer.

We need to be investing in new technologies to clean up coal and to clean up these power plants and rebuild them, not to shut them down.

Mrs. CAPITO. I agree. I think carbon capture and sequestration holds great promise, but we've got to make sure that we've got the technology available so that we can elongate the life of coal.

Contained within the bill we're going to vote on on Friday is something that I've been concerned about now for years, which is of this administration's inability or reluctance or that it will not even consider the job and economic impact of the decisions they're making. We've passed bill after bill here, saying to the EPA and to the President, Mr. President, you've got to weave a balance between the economy and the environment. You've got to look at what the job and economic impact of these small towns and counties will be.

Let's talk about what's happening to the county school systems. When these four coal mines shut down in West Virginia, we have a severance tax. That severance tax goes to pay the counties, and a lot of that money goes to the education of those children. What's going to happen? Who is going to fill that gap? Who considered that when they made the decisions to make it impossible to get a permit? to make it impossible to mine the coal? to make it impossible to burn the coal?

I mean, we're cutting off our nose to spite our face. That's an old and tired term, but if we don't have a base load, cheap energy and an abundant energy source—and you and I are both from States that have a lot of natural gas. We're all for natural gas. We want the abundance of natural gas, and we realize the low price of natural gas is part of what's feeding into this. We need an all-of-the-above plan that must contain clean coal and efficient coal.

Mr. MURPHY of Pennsylvania. I'll add a story here.

I remember back in the 1970s, in Buffalo Creek, West Virginia, where a dam broke and wiped out the town. I remember going there to work with the Red Cross. In the late evening at Van High School, I was talking to a gentleman who had lost his home. He had said that, before the dam broke, the police had come down the street, and they'd said, Leave your homes. The dam has broken. He said he grabbed his kids, and they ran up the hill as fast as they could. As fast as he could run, the water was at his feet, and when he turned around, his home was gone; the town was gone; there was nothing left.

In the darkness of that classroom late at night, I could hear him beginning to cry, and I said, But you have your family.

He said, I know, and there is someone else in this town who has lost everything. He even lost his family.

I said, Well, prayers and good luck helped you.

He said, No. It was also the fact that we heard the same warnings. The difference was I listened, and he did not.

We are at that same point, too. We are hearing about the existence of towns all throughout Appalachia and all throughout this Nation. We need to be mining American coal and using our ingenuity to clean it up, not shut it down, to help all these towns, to help the schools, and to help those families.

Mrs. CAPITO. I want to thank you for joining me tonight at this late hour. I have just a few more minutes left, and I'd like to spend a little bit of time on what I think is a large overreach on the part of EPA into making law where Congress should be making the law.

We should be deciding how to legislate on the Clean Water Act. We should be deciding how to legislate on the Clean Air Act. We should be deciding how to move forward on permitting in our Nation because we consider jobs and the economy across party lines, and those are important considerations for a lot of the bills we put forward.

But this administration has decided to do an end around. They're making regulation after regulation. And what has happened? The Federal courts have said on at least two or three different occasions—and maybe more—that this administration is in an area where they don't belong. It's a legislative area. It's not a regulatory area. It's an area that needs to be addressed through legislation by the Congress because that's the proper place for these decisions to be made.

So I hope that the President is listening, and I hope his administration is listening because, with thousands of jobs lost, higher electric bills, less reliable energy, fewer manufacturing jobs, this all feeds into an over 8 percent unemployment—folks who have quit looking and others who have given up.

If we don't have a full-out energy plan that includes everything and our most basic and our longest living energy resource—coal—and use the properties there and enhance them through research and development, we are going to find ourselves with over 8 percent unemployment, and we are going to find communities wiped out. States like mine—that are 95 percent reliant on coal production for our electricity—are going to be severely disadvantaged. I don't want to live in a country where the regulatory environment and the President are picking winners and losers across this country, and that's what has happened.

So I look forward to joining my colleague in voting for this bill on Friday. I thank you very much, and I thank the staff for staying so late, too.

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

ADJOURNMENT

Mrs. CAPITO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 20, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7847. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Beef Promotion and Research; Amendment to the Order [Doc. No.: AMS-LS-11-0086] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7848. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements [Doc. No.: AMS-FV-12-0002; FV12-929-1 IR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7849. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clothianidin; Pesticide Tolerances [EPA-HQ-OPP-2010-0217; FRL-9360-4] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7850. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fludioxonil; Pesticide Tolerances [EPA-HQ-OPP-2011-0395; FRL-9357-5] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7851. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafol; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2012-0324; FRL-9349-6] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7852. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — S-Metolachlor; Pesticide Tolerances [EPA-HQ-OPP-2011-0657; FRL-9356-9] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7853. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-05; to the Committee on Appropriations.

7854. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act,

Army Case Number 11-01; to the Committee on Appropriations.

7855. A letter from the Secretary, Department of Health and Human Services, transmitting a report of three violations of the Antideficiency Act by the Indian Health Services, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

7856. A letter from the Assistant Secretary, Department of Defense, transmitting Biennial Core Report to Congress, pursuant to Public Law 112-81, section 2464(B)(e) (125 STAT. 1368); to the Committee on Armed Services.

7857. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the report on eliminating barriers to firms that are not traditional suppliers to the department; to the Committee on Armed Services.

7858. A letter from the Under Secretary, Department of Defense, transmitting the semi-annual status report of the U.S. Chemical Demilitarization Program (CDP) for September 2012; to the Committee on Armed Services.

7859. A letter from the Principal Deputy, Department of Defense, transmitting a letter on the approved retirement of Colonel Edward D. Banta, United States Marine Corps, and his advancement on the retired list in the grade of brigadier general; to the Committee on Armed Services.

7860. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule — Conflict Minerals [34-67716; S7-40-10] (RIN: 3235-AK84) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7861. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the Administration's report entitled, ''Annual Energy Outlook 2012'', pursuant to 15 U.S.C. 790f(a)(1); to the Committee on Energy and Commerce.

7862. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2012 Technical Corrections, Clarifying and Other Amendments to the Greenhouse Gas Reporting Rule, and Confidentiality Determinations for Certain Data Elements of the Fluorinated Gas Source Category [EPA-HQ-OAR-2011-0147; FRL-9714-3] (RIN: 2060-AR53) received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7863. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compounds; Architectural and Industrial Maintenance Coatings [EPA-R05-OAR-2010-1047; FRL-9720-2] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7864. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Attainment Plan for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware 1997 Fine Particulate Matter Nonattainment Area [EPA-R03-OAR-2010-0391; FRL-9719-4] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7865. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee: Bristol; Determination of Attaining Data for the 2008 Lead Standards [EPA-R04-OAR-2012-0323; FRL-9720-8] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7866. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Diego County, Antelope Valley and Montery Bay Unified Air Pollution Agencies [EPA-R09-OAR-2012-0550; FRL-9718-1] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7867. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0546; FRL-9714-1] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7868. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; 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 [EPA-R06-OAR-2008-0633; FRL-9713-8] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7869. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Illinois; Ozone [EPA-R05-OAR-2009-0666; FRL-9712-8] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7870. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2012-0032; FRL-9714-5] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7871. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Arkansas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0307; FRL-9713-3] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7872. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Final Confidentiality Determinations for Nine Subparts and Amendments to Subpart A and I under the Mandatory Reporting of Greenhouse Gases Rule [EPA-HQ-OAR-2011-0028; FRL-9706-6] (RIN: 2060-AQ70) received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7873. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2012-0450; FRL-9358-1] (RIN: 2070-AB27) received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7874. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Source Specific Federal Implementation Plan for Implementing Best Available Retrofit Technology for Four Corners Power Plant: Navajo Nation [EPA-R09-OAR-2010-0683; FRL-9715-9] received September 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7875. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations for the Cooperative Threat Reduction; to the Committee on Foreign Affairs.

7876. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7877. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting waiver of requirement to certify conditions under Section 203 of the Enhanced Partnership with Pakistan Act of 2009; to the Committee on Foreign Affairs.

7878. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Foreign Affairs.

7879. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7880. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting annual category rating report from November 1, 2012 to October 31, 2011; to the Committee on Oversight and Government Reform.

7881. A letter from the Inspector General, Railroad Retirement Board, transmitting fiscal year 2014 Budget for the Office of the Inspector General; to the Committee on Oversight and Government Reform.

7882. A letter from the Chairman, Advisory Council on Historic Preservation, transmitting a piece of draft legislation entitled ''National Historic Preservation Act Amendment of 2012''; to the Committee on Natural Resources.

7883. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the administration of the Foreign Agents Registration Act of 1938, as amended for the six month period ending December 31, 2011, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

7884. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, ''Report of the Proceedings of the Judicial Conference of the United States'' for the March 2012 session; to the Committee on the Judiciary.

7885. A letter from the President, American Academy and Institute of Arts and Letters, transmitting the annual report of the activities of the American Academy of Arts and Letters during the year ending December 31, 2011, pursuant to 36 U.S.C. 4204; to the Committee on the Judiciary.

7886. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Section 508 Report to the President and Congress: Accessibility of Federal Electronic and Information Technology; to the Committee on the Judiciary.

7887. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report entitled, ''Debt Collection Recovery Activities of the Department of Justice for Debts Referred to the Department for Collection Annual Report for 2011''; to the Committee on the Judiciary.

7888. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded $5 million for the cost of response and recovery efforts for FEMA-3345-EM in the State of West Virginia, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

7889. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Detroit Symphony Orchestra at Ford House Fireworks, Lake St. Clair, Grosse Pointe Shores, MI [Docket No.: USCG-2012-0600] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7890. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mentor Harbor Yachting Club Fireworks, Lake Erie, Mentor, OH [Docket No.: USCG-2012-0356] (RIN: 1625-AA00) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7891. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Vero Beach, FL [Docket No.: FAA-2012-0621; Airspace Docket No. 12-ASO-24] (RIN: 2120-AA66) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7892. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Bar Harbor, ME [Docket No.: FAA-2011-1366; Airspace Docket No. 11-ANE-13] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7893. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Quakertown, PA [Docket No.: FAA-2011-0386; Airspace Docket No. 12-AEA-6] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7894. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Roundup, MT [Docket No.: FAA-2012-0274; Airspace Docket No. 12-ANM-4] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7895. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Apopka, FL [Docket No.: FAA-2011-0249; Airspace Docket No. 12-ASO-16] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7896. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Fort Rucker, AL [Docket No.: FAA-2012-0635; Airspace Docket No. 12-ASO-30] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7897. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Lloydsville, PA, and Amendment of Class D and E Airspace; Latrobe, PA [Docket No.: FAA-2012-0301; Airspace Docket No. 12-AEA-3] received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7898. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Jet Routes and VOR Federal Airways; Northeastern United States [Docket No.: FAA-2012-0622; Airspace Docket No. 12-ANE-11] (RIN: 2120-AA66) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7899. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting reconstruction proposal for the Ohio River Shoreline, Paducah, Kentucky; (H. Doc. No. 112–142); to the Committee on Transportation and Infrastructure and ordered to be printed.

7900. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the final report for the San Clemente Shoreline Feasibility Study; (H. Doc. No. 112–143); to the Committee on Transportation and Infrastructure and ordered to be printed.

7901. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Assets for Independence Program — Status at the Conclusion of the Eleventh Year''; to the Committee on Ways and Means.

7902. A letter from the Secretary, Department of Energy, transmitting the Department's report to Congress concerning the Mixed Oxide (MOX) Fuel Fabrication Facility being constructed at the Department's Savannah River Site near Aiken, South Carolina; jointly to the Committees on Armed Services and Energy and Commerce.

7903. A letter from the Chair, Federal Election Commission, transmitting the Commission's FY 2014 budget request, pursuant to 2 U.S.C. 437d(d)(1); jointly to the Committees on House Administration, Appropriations, and Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 5948. A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes; with an amendment (Rept. 112–678). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 6194. A bill to ensure the viability and competitiveness of the United States agricultural sector (Rept. 112–679). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 788. Resolution providing for consideration of the joint resolution (H.J Res. 118) 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; providing for consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977; and providing for proceedings during the period from September 22, 2012, through November 12, 2012 (Rept. 112–680). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself and Mr. DENHAM):

H.R. 6430. A bill to amend title 40, United States Code, to improve the functioning of the General Services Administration; to the Committee on Transportation and Infrastructure.

By Mr. ROYCE:

H.R. 6431. A bill to provide flexibility with respect to United States support for assistance provided by international financial institutions for Burma, and for other purposes; to the Committee on Financial Services. considered and passed. considered and passed.

By Mr. SMITH of Texas (for himself, Mr. CONYERS, Mr. GOODLATTE, and Mr. WATT):

H.R. 6432. A bill to implement the provisions of the Hague Agreement and the Patent Law Treaty; to the Committee on the Judiciary.

By Mr. UPTON (for himself and Mr. WAXMAN):

H.R. 6433. A bill to make corrections with respect to Food and Drug Administration user fees; to the Committee on Energy and Commerce. considered and passed. considered and passed.

By Ms. EDWARDS:

H.R. 6434. A bill to direct the Secretary of Education to award grants to States that enact State laws that will make school attendance compulsory through the age of 17; to the Committee on Education and the Workforce.

By Mr. STARK (for himself and Mr. RANGEL):

H.R. 6435. A bill to amend title XVIII of the Social Security Act to clarify the application of Medicare special enrollment periods and secondary payer rules to employer coverage of family members of employees; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 6436. 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 Affairs.

By Mr. POE of Texas (for himself and Mr. THOMPSON of California):

H.R. 6437. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy

power generation projects and transportation fuels, and for other purposes; to the Committee on Ways and Means.

By Mr. BASS of New Hampshire (for himself, Mr. DOLD, Mr. MATHESON, Mr. GERLACH, Mr. LANDRY, Mr. COBLE, Mr. RIBBLE, Mr. SCHILLING, Mr. PETRI, Mr. GIBBS, Mr. RENACCI, Mr. DUFFY, and Mr. CULBERSON):

H.R. 6438. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to subject the pay of the President, the Vice President, and Members of the House of Representatives and the Senate to any sequestration order for fiscal year 2013; to the Committee on the Budget.

By Mrs. BLACK (for herself, Mr. MICHAUD, Mr. RIBBLE, Mr. BONNER, Mr. HERGER, Mr. THOMPSON of Pennsylvania, Mrs. BLACKBURN, Mr. DUNCAN of Tennessee, and Mr. KISSELL):

H.R. 6439. A bill to amend the Internal Revenue Code of 1986 to provide an exception to the imposition of the additional estate tax for severance of standing timber harvested consistent with a forest management plan; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 6440. A bill to designate the Quinebaug and Shetucket Rivers Valley National Heritage Corridor as ''The Last Green Valley National Heritage Corridor''; to the Committee on Natural Resources.

By Mr. GRIMM (for himself and Mr. DINGELL):

H.R. 6441. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; to the Committee on Natural Resources.

By Mr. POMPEO:

H.R. 6442. A bill to amend title XX of the Social Security Act to repeal the program of block grants to States for social services, and for other purposes; to the Committee on Ways and Means.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. DEUTCH, Ms. WILSON of Florida, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Ms. CASTOR of Florida, Mr. RIVERA, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. BUCHANAN, and Mr. ROSS of Florida):

H.R. 6443. A bill to designate the facility of the Department of Veterans Affairs located at 9800 West Commercial Boulevard in Sunrise, Florida, as the ''William 'Bill' Kling VA Clinic''; to the Committee on Veterans' Affairs.

By Mr. FINCHER:

H. Res. 789. A resolution reaffirming the importance of religion in the lives of United States citizens and their freedom to exercise those beliefs peacefully; to the Committee on the Judiciary.

By Mr. DANIEL E. LUNGREN of California (for himself and Mr. SHIMKUS):

H. Res. 790. A resolution expressing support for designation of August 23 as Black Ribbon Day to recognize the victims of Soviet Communist and Nazi regimes; to the Committee on Oversight and Government Reform.

By Mr. PEARCE (for himself, Mr. HEINRICH, and Mr. LUJÁN):

H. Res. 791. A resolution recognizing the extraordinary history and heritage of the State of New Mexico, and honoring and commending the State of New Mexico and its people on its centennial anniversary; to the Committee on Oversight and Government Reform.

By Mr. SCHRADER (for himself, Mr. VAN HOLLEN, Ms. BORDALLO, Mr. MARKEY, and Ms. BONAMICI):

H. Res. 792. A resolution honoring Rear Admiral Jonathan W. Bailey of the National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps for his lifetime of selfless commitment and exemplary service to the United States; to the Committee on Natural Resources.

MEMORIALS

Under clause 3 of rule XII:

280. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 824 urging the President and Congress to begin an expedited withdrawal of forces from Afghanistan; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 6430.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and clause 17 (relating to authority over the district as the seat of government), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. ROYCE:

H.R. 6431.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, which provides Congress the power to ''regulate commerce with foreign Nations among the several States.''

By Mr. SMITH of Texas:

H.R. 6432.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Mr. UPTON:

H.R. 6433.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. EDWARDS:

H.R. 6434.

Congress has the power to enact this legislation pursuant to the following:

Article. I., Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. STARK:

H.R. 6435.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SMITH of New Jersey:

H.R. 6436.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 6437.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. BASS of New Hampshire:

H.R. 6438.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article I; section 6 of Article I; section 1 of Article II.

By Mrs. BLACK:

H.R. 6439.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COURTNEY:

H.R. 6440.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3, Clause 2 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. GRIMM:

H.R. 6441.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. POMPEO:

H.R. 6442.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Paragraph 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. WASSERMAN SCHULTZ:

H.R. 6443.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Ms. BUERKLE.

H.R. 289: Mr. MCNERNEY.

H.R. 715: Mr. WALSH of Illinois.

H.R. 718: Mr. BURGESS and Mr. MCGOVERN.

H.R. 719: Mr. MARINO, Mr. OLVER, Mr. ROYCE, and Ms. ZOE LOFGREN of California.

H.R. 733: Mr. ROSKAM and Mr. DEFAZIO.

H.R. 835: Ms. BASS of California, Mr. GUINTA, and Mr. SMITH of Texas.

H.R. 860: Mr. GARAMENDI, Ms. DEGETTE, Mr. CALVERT, Mr. MACK, Ms. BONAMICI, and Ms. BASS of California.

H.R. 890: Mr. GRIJALVA.

H.R. 942: Mr. GERLACH.

H.R. 965: Mr. WAXMAN.

H.R. 1005: Mr. CAPUANO.

H.R. 1054: Mr. KEATING and Ms. MCCOLLUM.

H.R. 1244: Mr. BISHOP of Utah.

H.R. 1259: Mr. KISSELL.

H.R. 1265: Mr. BISHOP of Utah and Mr. GRIFFIN of Arkansas.

H.R. 1294: Mr. CONYERS.

H.R. 1370: Mr. RIGELL, Mr. ADERHOLT, and Mr. HULTGREN.
H.R. 1397: Mr. CLYBURN.
H.R. 1513: Mr. LOEBSACK.
H.R. 1543: Ms. MCCOLLUM.
H.R. 1648: Ms. SEWELL.
H.R. 1653: Mr. SHUSTER and Mr. KIND.
H.R. 1744: Mr. MCCAUL.
H.R. 1757: Mr. BARBER.
H.R. 1876: Mr. LYNCH and Mr. CUMMINGS.
H.R. 1897: Mrs. MCCARTHY of New York.
H.R. 1910: Mr. HINCHEY.
H.R. 1936: Mr. PERLMUTTER, Mr. LIPINSKI, Mr. BERG, and Mr. SCHILLING.
H.R. 1955: Mr. ANDREWS.
H.R. 2020: Mr. COURTNEY and Ms. MOORE.
H.R. 2030: Ms. CHU.
H.R. 2052: Mr. CONYERS, Mr. LARSEN of Washington, Mr. MICHAUD, and Mr. MARINO.
H.R. 2086: Mrs. MALONEY.
H.R. 2088: Mr. ANDREWS, Ms. PINGREE of Maine, Mr. FRANK of Massachusetts, Mr. HOYER, Mr. OLVER, Mr. KEATING, Mr. GUTIERREZ, Ms. CLARKE of New York, Mr. MARKEY, Ms. CHU, Mr. ENGEL, and Mr. CLYBURN.
H.R. 2194: Ms. SPEIER and Ms. MCCOLLUM.
H.R. 2198: Mr. THOMPSON of Pennsylvania and Mr. FLORES.
H.R. 2267: Mr. HALL, Mr. SHUSTER, and Mr. DEUTCH.
H.R. 2313: Mr. AMASH.
H.R. 2316: Mr. WATT.
H.R. 2353: Mr. FITZPATRICK.
H.R. 2372: Mr. LAMBORN.
H.R. 2382: Mr. LEVIN, Mr. PRICE of North Carolina, and Mr. AMASH.
H.R. 2479: Mr. REED and Mr. OLVER.
H.R. 2488: Mr. MICHAUD.
H.R. 2492: Ms. MCCOLLUM, Mr. HULTGREN, and Mr. SMITH of Texas.
H.R. 2505: Mr. MCKINLEY and Mr. DENT.
H.R. 2547: Mrs. CAPPS.
H.R. 2555: Mr. PRICE of North Carolina.
H.R. 2563: Mr. KEATING.
H.R. 2595: Mr. HIMES.
H.R. 2696: Mr. HIMES.
H.R. 2705: Mr. BISHOP of Georgia.
H.R. 2770: Mrs. NOEM.
H.R. 2776: Mr. YOUNG of Alaska.
H.R. 2827: Mr. PALAZZO.
H.R. 2833: Mr. SCOTT of South Carolina.
H.R. 2913: Mr. DUFFY.
H.R. 2969: Mr. CUMMINGS.
H.R. 2994: Ms. BONAMICI.
H.R. 3059: Mr. HULTGREN.
H.R. 3238: Ms. WOOLSEY and Mr. FILNER.
H.R. 3266: Mr. BLUMENAUER, Mr. FITZPATRICK, and Mr. GRIFFIN of Arkansas.
H.R. 3269: Ms. DEGETTE.
H.R. 3353: Mrs. CAPPS.
H.R. 3395: Mr. BONNER.
H.R. 3399: Mr. HULTGREN.
H.R. 3423: Mr. WEST, Mr. WELCH, and Ms. WILSON of Florida.
H.R. 3458: Mr. COSTELLO.
H.R. 3485: Mr. OLVER, Mr. KEATING, Ms. CLARKE of New York, Mr. MARKEY, Ms. CHU, and Mr. CLYBURN.
H.R. 3587: Mrs. DAVIS of California.
H.R. 3661: Mr. JOHNSON of Illinois, Ms. Linda T. Sánchez of California, and Mrs. BIGGERT.
H.R. 3695: Ms. BROWN of Florida.
H.R. 3713: Mr. THOMPSON of California, Mr. CICILLINE, Mr. GERLACH, Mr. GRIFFIN of Arkansas, and Mr. FRANKS of Arizona.
H.R. 3728: Mr. NUNES and Mr. GOODLATTE.
H.R. 3783: Mr. SOUTHERLAND, Mr. BARTLETT, and Mr. LANCE.
H.R. 3798: Mr. CUMMINGS and Mr. CROWLEY.
H.R. 3974: Ms. EDWARDS.
H.R. 4196: Mr. GRAVES of Missouri.
H.R. 4212: Mr. BACHUS.
H.R. 4250: Mr. BROOKS, Ms. RICHARDSON, and Mr. HINOJOSA.
H.R. 4256: Mr. LANDRY and Mr. CHANDLER.
H.R. 4290: Ms. DELAURO.
H.R. 4318: Ms. LEE of California.
H.R. 4818: Mr. BUTTERFIELD.
H.R. 5542: Ms. LORETTA SANCHEZ of California.
H.R. 5708: Mr. BILIRAKIS and Ms. ROS-LEHTINEN.
H.R. 5716: Mr. LOEBSACK.
H.R. 5746: Mrs. BLACK.
H.R. 5749: Ms. MCCOLLUM.
H.R. 5817: Mr. HUIZENGA of Michigan.
H.R. 5873: Mr. BUTTERFIELD.
H.R. 5876: Mr. ANDREWS.
H.R. 5879: Mr. BLUMENAUER.
H.R. 5903: Mr. MARKEY.
H.R. 5910: Mr. STUTZMAN and Mr. ROTHMAN of New Jersey.
H.R. 5914: Mr. HARRIS, Mr. TIBERI, and Mr. DEFAZIO.
H.R. 5943: Mr. LONG.
H.R. 5948: Mr. MICHAUD, Mr. POSEY, and Mr. ROONEY.
H.R. 5959: Mr. MCNERNEY, Mr. OLVER, and Mr. FARR.
H.R. 5962: Mr. KUCINICH.
H.R. 5965: Ms. CHU.
H.R. 5978: Mr. LEVIN and Mr. HOLT.
H.R. 6015: Mr. PETERS, Mr. BRALEY of Iowa, Mr. HASTINGS of Florida, Mr. THOMPSON of California, Ms. LEE of California, Mr. RANGEL, Mr. SMITH of Washington, Ms. BASS of California, Ms. BONAMICI, Mr. COURTNEY, and Mr. SHULER.
H.R. 6043: Mr. BILBRAY.
H.R. 6086: Mr. SIMPSON.
H.R. 6139: Mr. JONES.
H.R. 6150: Mr. MICHAUD, Mr. LEWIS of Georgia, and Ms. BORDALLO.
H.R. 6155: Ms. SPEIER, Mr. ROSS of Arkansas, Mr. LANGEVIN, Ms. WATERS, Mr. REED, Mr. ANDREWS, and Ms. MOORE.
H.R. 6157: Mr. CICILLINE, Mr. BOREN, Mr. BLUMENAUER, Mr. RIVERA, Mr. ROSS of Arkansas, Ms. WATERS, Mr. ANDREWS, Mr. CLAY, and Ms. MOORE.
H.R. 6159: Mr. HIGGINS and Mr. BARBER.
H.R. 6163: Ms. SCHWARTZ and Ms. MATSUI.
H.R. 6165: Mr. SENSENBRENNER.
H.R. 6174: Mr. BOREN.
H.R. 6249: Mr. BROOKS, Mr. BRADY of Texas, Mr. LONG, Mr. MCKEON, Mr. FARENTHOLD, Mr. KING of New York, Mr. SENSENBRENNER, and Mr. PAULSEN.
H.R. 6260: Mr. GALLEGLY.
H.R. 6291: Mr. KILDEE and Ms. ZOE LOFGREN of California.
H.R. 6296: Mr. FITZPATRICK.
H.R. 6310: Mr. KILDEE, Mr. LANGEVIN, and Ms. DELAURO.
H.R. 6352: Mr. COBLE.
H.R. 6357: Ms. CHU.
H.R. 6362: Ms. BONAMICI.
H.R. 6364: Mr. THOMPSON of California and Mr. YODER.
H.R. 6375: Mr. MICHAUD.
H.R. 6385: Mr. KELLY and Ms. SCHAKOWSKY.
H.R. 6388: Mr. BARTLETT, Ms. HIRONO, Mr. CLAY, Mr. FARR, Mr. BILBRAY, Mr. GALLEGLY, Mr. RAHALL, and Ms. ROYBAL-ALLARD.
H.R. 6390: Ms. RICHARDSON and Ms. CHU.
H.R. 6392: Ms. SCHAKOWSKY and Mr. WELCH.
H.R. 6412: Ms. LINDA T. SÁNCHEZ of California, Mr. ISRAEL, Mr. REYES, Mr. LARSEN of Washington, Mr. MORAN, Mr. BLUMENAUER, Mr. CAPUANO, Ms. LEE of California, Ms. MCCOLLUM, Mrs. CAPPS, Mr. GRIJALVA, Mr. OLVER, Mr. STARK, Mrs. LOWEY, Ms. CHU, Mr. MCDERMOTT, Mr. POLIS, Mr. MCGOVERN, Mr. DOYLE, Mr. PIERLUISI, Ms. HAHN, Mr. FILNER, Mr. DOGGETT, Ms. CASTOR of Florida, Mr. FARR, Mrs. DAVIS of California, and Mr. HOLT.
H.R. 6419: Mr. FARR, Ms. NORTON, Mr. RUSH, Ms. DEGETTE, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. CHU, Mr. BISHOP of Georgia, and Mr. SMITH of Washington.
H.R. 6429: Mr. OLSON, Mr. SAM JOHNSON of Texas, Mrs. ELLMERS, Mr. LAMBORN, Mr. FLORES, Mr. COBLE, Mr. ROSS of Florida, Mr. PENCE, Mr. WESTMORELAND, Mr. HECK, Mr. DUFFY, and Mr. GOWDY.
H.J. Res. 47: Mr. MURPHY of Connecticut.
H. Con. Res. 116: Mr. LIPINSKI, Mrs. BLACK, Mr. DONNELLY of Indiana, and Mr. BILBRAY.
H. Con. Res. 129: Mr. MEEKS, Mr. CONAWAY, Mr. MCGOVERN, Ms. RICHARDSON, Mr. LARSEN of Washington, Mr. BARLETTA, Mr. YOUNG of Florida, Mr. KING of New York, Ms. HOCHUL, and Mr. PALAZZO.
H. Res. 134: Mr. SMITH of New Jersey.
H. Res. 304: Mr. HONDA.
H. Res. 460: Mr. SMITH of Texas.
H. Res. 734: Mr. HOLT and Mr. MCGOVERN.
H. Res. 763: Mrs. BLACKBURN and Mr. CARTER.
H. Res. 774: Mr. BARROW, Mr. WHITFIELD, Mr. SMITH of Texas, Mr. MURPHY of Connecticut, Mr. TIERNEY, Mr. GRIFFITH of Virginia, Mr. CLAY, Ms. HAYWORTH, Mr. WELCH, Mr. RENACCI, Mr. CUELLAR, Mr. BARTLETT, Mr. CICILLINE, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. SCHILLING, Mr. BILBRAY, Mr. KILDEE, Mrs. DAVIS of California, Mr. NUNNELEE, and Mr. AMODEI.
H. Res. 776: Mr. COBLE, Mr. PIERLUISI, and Mr. KING of Iowa.
H. Res. 777: Mr. AUSTRIA and Ms. BORDALLO.
H. Res. 780: Mr. MICHAUD.
H. Res. 785: Mr. PRICE of North Carolina.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MARKEY or a designee to H.R. 3409, the Coal Miner Employment and Domestic Energy Infrastructure Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

59. The SPEAKER presented a petition of the California State Land Commission, California, relative to resolution supporting H.R. 3365 and S. 714; to the Committee on Natural Resources.

60. Also, a petition of the Odessa Chamber of Commerce, Texas, relative to resolution supporting the Securing the Talent America Requires for the 21st Century Act; to the Committee on the Judiciary.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, WEDNESDAY, SEPTEMBER 19, 2012 No. 127

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.

SSG Joseph J. Altmann, of Marshfield, WI; SPC Mikayla A. Bragg, of Longview, WA; Maj Samuel M. Griffith, of Virginia Beach, VA; Private Jalfred D. Vaquerano, of Apopka, FL; SGT Christopher L. Muniz, of New Cuyama, CA; SPC Ronald H. Wildrick Jr., of Blairstown, NJ; LCpl Christopher P. J. Levy, of Ramseur, NC; SFC Clark A. Corley Jr., of Oxnard, CA; SPC Ryan M. Lumley, of Lakeland, FL; SPC Thomas J. Mayberry, of Springville, CA; SGT Ryan D. Sharp, of Idaho Falls, ID; SSgt Vincent J. Bell, of Detroit, MI; SFC Dennis R. Murray, of Red Broiling Springs, TN; Cpl Adam J. Buyes, of Salem, OR; Cpl Zachary C. Reiff, of Preston, IA; PFC Jackie L. Diener II, of Boyne City, MI; LCpl Joshua D. Corral, of Danville, CA; PFC Adam E. Dobereiner, of Moline, IL; SPC Sean M. Walsh, of San Jose, CA; SPC James R. Burnett Jr., of Wichita, KS.

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.

LCpl Jason N. Barfield, of Ashford, AL; PFC Steven F. Shapiro, of Hidden Valley Lake, CA; A1C Jerome D. Miller, of Washington, DC; LCpl Jordan S. Bastean, of Pekin, IL; SGT Paul A. Rivera, of Round Rock, TX; 1LT Ashley I. White, of Alliance, OH; SFC Kristoffer B. Domeji, of San Diego, CA; PFC Christopher A. Horns, of Colorado Springs, CO; CPO Raymond J. Border, of West Lafayette, OH; SSG Jorge M. Oliveira, of Newark, NJ; SSG James R. Leep, of Richmond, VA; SPC Michael D. Elm, of Phoenix, AZ; SSG Houston M. Taylor, of Hurst, TX; SPC Jeremiah T. Sancho, of Palm Bay, FL; SSG Robert N. Cowdrey, of Atwater, OH; LCpl Scott D. Harper, of Winston, GA; SOC Michael R. Tatham, of University Place, WA; SSG Nathan L. Wyrick, of Enumclaw, WA; CW3 James B. Wilke, of Ione, CA; CPT Joshua S. Lawrence, of Nashville, TN.

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

Bernadino, CA; SGT Andy C. Morales, of Longwood, FL; LCpl Terry C. Wright, of Scio, OH; SPC Jakob J. Roelli, of Darlington, WI; SPC Robert E. Dyas, of Nampa, ID; SGT Timothy D. Sayne, of Reno, NV; SPC Ryan J. Cook, of Fort Walton Beach, FL; SSG Estevan Altamirano, of Edcouch, TX; SPC Chazray C. Clark, of Ecorse, MI; SGT Garrick L. Eppinger Jr., of Appleton, WI; SSG Michael W. Hosey, of Birmingham, AL; Cpl Michael J. Dutcher, of Asheville, NC; SGT Mycal L. Prince, of Minco, OK; SGT Chester G. Stoda, of Black River Falls, WI; SGT Rodolfo Rodriguez Jr., of Pharr, TX; SFC Danial R. Adams, or Portland, OR; SSG Keith F. Rudd, of Winder, GA; SSG Daniel A. Quintana, of Huntington Park, CA.

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.

TSgt Kristoffer M. Solesbee, of Citrus Heights, CA; CW2 Christopher R. Thibodeau, of Chesterland, OH; SSG Kristofferson B. Lorenzo, of Chula Vista, CA; PFC William S. Blevins, of Sardinia, OH; Private Andrew M. Krippner, of Garland, TX; Private Thomas C. Allers, of Plainwell, MI; SFC Clifford E. Beattie, of Medical Lake, WA; PFC Ramon Mora Jr., of Ontario, CA; CPL Brandon M. Kirton, of Centennial, CO; SSG David D. Self, of Pearl, MS; SPC Bradley L. Melton, of Rolla, MO; Private Lamarol J. Tucker, of Gainesville, FL; Private Cheizray Pressley, of North Charleston, SC; SGT Robert C. Schlote, of Norfolk, NE; SPC Brian D. Riley Jr., of Longwood, FL; Sgt Kevin B. Balduf, of Nashville, TN; LtCol Benjamin J. Palmer, of Modesto, CA; SGT Amaru Aguilar, of Miami, FL; 1LT Demetrius M. Frison, of Lancaster, PA.

SGT Ken K. Hermogino, of Edwards Air Force Base, CA; SPC Riley S. Spaulding, of Sheridan, TX; SGT Kevin W. White, of Westfield, NY; SGT Adam D. Craig, of Cherokee, IA; PFC Robert M. Friese, of Chesterfield, MI; SPC Preston J. Dennis, of Redding, CA; PFC Jonathan M. Villanueva, of Jacksonville, FL; SGT Matthew D. Hermanson, of Appleton, WI; LCpl Ronald D. Freeman, of Plant City, FL; Maj Phillip D. Ambard, of Edmonds, WA; Maj Jeffrey O. Ausborn, of Gadsden, AL; Maj David L. Brodeur, of Auburn, MA; MSgt Tara R. Brown, of Deltona, FL; Lt Col Frank D. Bryant Jr., of Knoxville, TN; Maj Raymond G. Estelle II, of New Haven, CT; Capt Nathan J. Nylander, of Hockley, TX; Maj Charles A. Ransom, of Midlothian, VA; SPC Andrew E. Lara, of Albany, OR; Cpl Adam D. Jones of Germantown, OH; LCpl Joe M. Jackson, of White Swan, WA.

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.

SPC Dennis C. Poulin, of Cumberland, RI; Private Jeremy P. Faulkner, of Griffin, GA; SFC Ofren Arrechaga, of Hialeah, FL; SSG Frank E. Adamski III, of Moosup, CT; SPC Jameson L. Lindskog, of Pleasanton, CA; SSG Bryan A. Burgess, of Cleburne, TX; PFC Dustin J. Feldhaus, of Glendale, AZ; CPL Justin D. Ross, of Green Bay, WI; SSG Joshua S. Gire, of Chillicothe, OH; PFC Michael C. Mahr, of Homosassa, FL; PO1 Vincent A. Filpi III, of Fort Walton Beach, FL; CPL Brandon S. Hocking, of Seattle, WA; MSG Jamal H. Bowers, of Raleigh, NC; SSgt James M. Malachowski, of Westminster, MD; SSG Mecolus C. McDaniel, of Fort Hood, TX; CPL Donald R. Mickler Jr., of Bucyrus, OH; PFC Rudy A. Acosta, of Canyon Country, CA; LCpl Christopher S. Meis, of Bennett, CO; SrA Michael J. Hinkle II, of Corona, CA; SSG Travis M. Tompkins, of Lawton, OK.

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).

EXTENSIONS OF REMARKS

HONORING THE NATIONAL DAY OF THE REPUBLIC OF CHINA (TAIWAN)

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROSS of Florida. Mr. Speaker, October 10th is the National Day of the Republic of China (Taiwan).

Despite its small geographical size, Taiwan is a vibrant democracy and a free market economy that respects human rights and the rule of law.

The United States and Taiwan have enjoyed a strong security and economic partnership for over half of a century. Our common interest in peace and security has guided U.S.-Taiwan relations and our commitment to Taiwan's security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build a strong democratic government that, today, serves as a beacon for others in the region and beyond.

Similarly, Taiwan's economic partnership with us has benefited both countries. As a result, Taiwan is our ninth largest trading partner, with the United States importing nearly $36 billion worth of Made in Taiwan goods and exporting $26 billion in goods and services to Taiwan.

In recent years, the communications between Washington and Taiwan President Ma Ying-jeou's administration has been smooth and effortless. However, there is still room for improvement. For instance, we still need to assist Taiwan's meaningful participation in world agencies, help Taiwan meet its military needs, negotiate a free trade agreement with Taiwan, and waive visa requirements for Taiwanese tourists coming to the U.S. With the support of the United States, I hope Taiwan's goals come true.

Congratulations to the people and leaders of Taiwan on their National Day.

IN HONOR OF THE 40TH ANNIVERSARY OF MONTEREY-SALINAS TRANSIT (MST)

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. FARR. Mr. Speaker, I have the distinct honor and privilege of representing California's 17th congressional district and, on behalf of all the residents of the Central Coast, I would like to commend to my colleagues' attention the 40th Anniversary of Monterey-Salinas Transit, (MST).

The Monterey Peninsula Public Transit System Joint Powers Agency was formed by the cities of Carmel, Del Rey Oaks, Monterey, Pacific Grove, Seaside and the county of Monterey on October 1, 1972. As the predecessor of Monterey-Salinas Transit, it served the Monterey Peninsula area, and later expanded to provide service to the cities of Marina, Salinas, and Watsonville. With the formation of the Monterey-Salinas Transit District on July 1, 2010, MST today serves one-fifth of the coastline of California from San Jose in the north to Paso Robles in the south at 1,300 bus stops in 25 communities throughout Monterey, Santa Cruz, Santa Clara, and San Luis Obisbo Counties.

Through the foresight of the MST board members and the ongoing support of the Federal government, transit service in the Monterey region is consistently at the forefront of technology and innovation, with ridership of four and a half million passengers each year, on traditional fixed-route buses as well as paratransit minibus service for disabled customers, the popular MST Trolley system for visitors, ''MST OnCall'' demand response services in south Monterey County, and the award-winning Carmel Valley Grapevine Express.

New for 2012 is the MST JAZZ Bus Rapid Transit system, funded in part by a $2.78 million Federal Transit Administration Section 5309 Capital New Starts grant. MST JAZZ follows a 6.75 mile route on the Monterey Peninsula starting in Sand City, running along Fremont Boulevard in Seaside, through downtown Monterey and along the visitor-intensive Lighthouse Avenue corridor in New Monterey, ending at the world famous Monterey Bay Aquarium at the edge of the city of Pacific Grove. MST has partnered with the legendary Monterey Jazz Festival, currently celebrating its 55th year, to create a distinct brand and marketing identity for the new ''JAZZ'' line. The Festival has opened its archives for the project and has worked with MST to develop a year-round linear jazz museum featuring dramatic jazz-themed displays on the buses and at each of the 30 custom designed shelters along the route. Passenger amenities include benches, bike racks and real-time electronic bus arrival and departure signage linked via Global Positioning Systems to the location of each JAZZ vehicle along the route. While waiting for the JAZZ buses, passengers will be able to listen and view on their smart phones actual recordings from the Monterey Jazz Festival throughout its 55-year history and learn more about the artists who performed for Festival audiences over the decades.

Not only does MST play a significant role in the transportation system of the Monterey Bay region, but it helps meet the basic transportation needs of thousands of constituents. More than one out of every three MST passengers live in a household without an automobile. A majority of MST passengers are either low-income and/or elderly. To further enhance senior mobility, MST is utilizing Federal Transit Administration Section 5317 New Freedoms funds to provide free travel training and volunteer assistance through the innovative ''MST Navigators'' program to Monterey County residents 65 years and older, as well as subsidized trips in local taxicabs at a cost of only $3.00 for paratransit-eligible clients. Several Monterey Peninsula jurisdictions and the city of Salinas have also become funding partners with MST to extend this taxi discount voucher program to all seniors in their communities.

In addition, MST is at the forefront of forging partnerships with local stakeholders to expand public transit options throughout the community. MST's award-winning partnership with the United States Army's Defense Languages Institute at the Presidio of Monterey transports nearly 50,000 military and civilian personnel each month from all corners of the MST service area to work, relieving local traffic congestion and enabling the redevelopment of parking lots into language classrooms and training facilities vital to the global mission of our military. At Naval Postgraduate School, MST has again partnered with the military to provide two additional transit lines connecting student, faculty and staff housing areas with the college. And, MST's latest military partnership provides employees at Fort Hunter Liggett in rural southern Monterey County with two more transit lines connecting the base with communities in the Salinas Valley and San Luis Obispo County. MST's partnerships also extend to local colleges, with a University Pass program with California State University-Monterey Bay and a free fare zone at Hartnell Community College in Salinas. The Monterey Bay Aquarium is also a local funding partner for transit, helping to support the MST Trolley visitor-oriented service in downtown Monterey and Cannery Row and leading a new initiative designed to increase accessibility to the Aquarium for low income and minority residents of the Salinas Valley.

Mr. Speaker, I am pleased to commend Monterey-Salinas Transit for providing 40 years of exemplary public service to the Central Coast of California and ask my colleagues in the House of Representatives to wish them well on the next 40 years.

A TRIBUTE TO BRETT BUNNELL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Brett Bunnell of Norwalk, Iowa for being awarded the Girl Scout Gold Award.

The Gold Award is the highest award that a high school-aged Girl Scout can earn. This is a prestigious honor as fewer than 6 percent of eligible Girl Scouts attain the Gold Award in a given year.

To earn a Gold Award, a Girl Scout must complete a minimum of 80 hours towards a community project that is both memorable and lasting. For her project, Brett worked to update rooms in her church by installing blinds and redecorating. The work ethic Brett has shown to earn her Gold Award speaks volumes about her commitment to serving a cause greater than herself and assisting her community.

Mr. Speaker, the example set by this young woman and her supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Brett and her family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her on obtaining the Gold Award, and I wish her continued success in her future education and career.

IN SUPPORT OF USPTO'S NATIONAL TRADEMARK EXPO

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MORAN. Mr. Speaker, I rise today to express my support of the United States Patent and Trademark Office's (USPTO) National Trademark Expo. In a time of ongoing challenges for the American and global economy, I want to join the USPTO in its efforts to recognize the vital role that trademarks play in the economy.

The USPTO disseminates trademark information at the Expo to educate the public about the important role that trademarks play in our society and the global marketplace. This year's two-day event will be held on Friday, October 19th, from 10:00 a.m. to 5:00 p.m., and Saturday, October 20th, from 10:00 a.m. to 4 p.m., at the USPTO headquarters in Alexandria, Virginia.

A broad cross-section of America's large corporations, small businesses, governmental agencies, and non-profit organizations will highlight a wealth of valuable information about trademarks: from the various types of trademarks available and their benefits. The Expo will also feature educational seminars, as well as children's workshops and activities. Exhibitors at the National Trademark Expo will include: 5-hour ENERGY; 1000 Cranes, LLC; ABA Section of Intellectual Property Law; AIPLA, Creativity in Bloom; American Girl; The American National Red Cross; Caterpillar Inc.; CMG; Cricket Wireless; Department of the Army; GEICO; Girl Scout Council of the Nation's Capital; The Hershey Company; HiT Entertainment; Hooray for Books!; Idaho Potato Commission; Indian Arts and Crafts Board; International Trademark Association (Unreal Campaign); Mattel; NASA Goddard Space Flight Center; NASCAR, Inc.; NBC Learn; NumbersAlive!; The Pepsom Group; Rita's Ice, Custard, Happiness; Rutgers, The State University of New Jersey; Travelers; Under Armour; United States Air Force; UPS; U.S. Department of Energy; U.S. Government IPR Agencies: Department of Commerce, National IPR Coordination Center, and Customs and Border Protection; Valvoline; Wormwatcher; and Zipcar.

On average, people are exposed to 1,500 trademarks each day. In a time of globalization, counterfeit goods pose an increasing threat to American businesses and jobs, and trademarks assist the public in discerning between authentic and counterfeit merchandise. Counterfeit goods cost the United States billions of dollars and countless jobs annually, as well as undermine consumer confidence in brand integrity when purchasers encounter knock-off goods of inferior quality.

I applaud the USPTO for its continued efforts to educate the public on the important role of trademarks and the benefits of federal registration through the National Trademark Expo. I urge my colleagues to join me in recognizing the USPTO, at this time when trademark protection and intellectual property rights play an increasingly important role in our global economy. And, I encourage the public and my fellow Members of Congress and staff to bring their family and friends to this free, family-friendly event.

HONORING ROY DRIVER

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the achievements of Roy Driver who will be retiring after 32 years of outstanding work for the Vet Centers and the Department of Veterans Affairs.

Roy has dedicated more than 30 years to improving the lives of veterans and their families. Prior to his time with the Vet Centers, Roy served in the U.S. Coast Guard from 1960–1970 as a Sonar/Oceanographic Technician. He has attended the Greater Hartford Community College, Central Connecticut State College and Southern Connecticut State College. From 1974 to 1978 he served as a Veterans Affairs Coordinator for two colleges in Connecticut.

In 1980, he was the Team Leader of the Hartford Connecticut Vet Center, one of the first in the nation. During his time in Hartford, two additional Vet Centers were opened as satellites. Maine veterans were fortunate that in 1991, Roy moved to the Portland, Maine Vet Center, where he remained until 2004, when he became Team Leader of the Lewiston Vet Center.

It is always with some lingering sadness that I pass along my best wishes for the retirement of people like Roy. Throughout his career, he has been an important part of the lives of many combat veterans and their families, helping them to work through the issues that resulted from their service to our nation. You can never truly quantify the work of such an individual. On behalf of the people of Maine, I congratulate Roy and wish him the best of luck on his retirement and in his future endeavors.

Mr. Speaker, please join me in honoring Roy Driver for his unwavering dedication to our veterans and their families.

IN HONOR OF ARCHCARE AT TERENCE CARDINAL COOKE HEALTH CARE CENTER ON THE OCCASION OF THE 4TH ANNUAL ''STEPPING UP IN FAITH FOR HIV AND AIDS'' COMMUNITY EVENTS WEEK

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to pay special tribute to ArchCare at Terence Cardinal Cooke Health Care Center, a faith-based, multi-specialty nursing facility in East Harlem, which has been serving the community since 1978. During the 4th Annual ''Stepping Up in Faith for HIV and AIDS'' Community Events Week, the Health Care Center is sponsoring ''A Sacred NYC HIV & AIDS Conversation'' among faith-based organizations, community-based organizations, Faith in Action Advocates, and the NYC Department of Health and Mental Hygiene. The discussion will focus on the theme ''Turning the Tide Together—as we move forward with HIV and AIDS Prevention and Care in our Faith and Secular Partnership.''

In 1989, ArchCare at Terence Cardinal Cooke Health Care Center created the first long term care facility in New York State to provide comprehensive residential health care services to people living with AIDS and HIV. In their 156-bed unit, residents have access to a continuum of medical services, including dentists, dietitians, occupational and physical therapists, and social workers. At all stages of care, residents and their families are encouraged to participate in case conferences to discuss treatment plans. The Discrete Unit provides treatment with the hope that residents will be able to return to the community and live independently.

According to United Nations estimates, there are more than 33 million people living with HIV in the world. In 2011 alone, some 2.7 million people became newly infected with the virus, and an estimated 2 million people died from AIDS. In the United States, New York remains an epicenter of the disease, with the five boroughs alone accounting for 15.5% of the entire AIDS caseload in the United States, meaning that our city has more persons living with AIDS than the entire state of California.

ArchCare and the Terence Cardinal Cooke Health Care Center have long fought on the front lines of the fight against AIDS and HIV, taking action to ensure that their patients are provided with access to vital healthcare services, and afforded protection of their basic human rights without fear of reprisal or discrimination. Not only does ArchCare provide quality, comprehensive care, but it also offers an environment of peace, tranquility and community.

The Terence Cardinal Cooke Health Care Center is named in honor of New York's former Archbishop, and its mission is driven by Terence Cardinal Cooke's words: ''The 'gift of life', God's special gift, is no less beautiful when it is accompanied by illness or weakness, hunger or poverty, mental or physical handicaps, loneliness or old age.''

Mr. Speaker, I ask that my colleagues join me in paying tribute to ArchCare and Terence Cardinal Cooke Health Center's years of commitment to the fight against HIV and AIDS through exceptional care for all patients and vital education events. In so doing, we honor the dedication to compassionate service of the staff at Terence Cardinal Cooke, and hope that they serve as an inspiration to health care providers across the country.

A TRIBUTE TO JEANETTE THORSBAKKEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Jeanette Thorsbakken on the recent celebration of her 100th birthday. Jeanette celebrated a century of life yesterday, September 18th, 2012.

Our world has changed a great deal during the course of Jeanette's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Jeanette has lived through eighteen United States Presidents and twenty-two Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Today, Jeanette resides in Story City, Iowa where she likes to spend her time playing solitaire on the computer and assembling jigsaw puzzles. Jeanette also greatly enjoys visits with her family and sharing stories of the many changes she has witnessed in her life.

Mr. Speaker, it is an honor to represent Jeanette in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House to join me in congratulating Ms. Thorsbakken on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

CELEBRATING HISPANIC HERITAGE MONTH AND THE FIRST ANNUAL VIVA BREVARD FESTIVAL

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. POSEY. Mr. Speaker, on September 15th families and businesses across the nation will begin observing National Hispanic Heritage Month in order to recognize the many outstanding contributions to our nation that are made by Americans of Hispanic descent. One celebration taking place in the City of Palm Bay, Florida, will be the First Annual Viva Brevard festival.

Al Día Today along with local businesses, non-profit organizations, and residents of Brevard County will gather together on Saturday October 13, 2012, near the Ted Whitlock Community Center in Palm Bay Regional Park to commemorate Hispanic Heritage Month with a day full of great Latin American cuisine, culture and entertainment.

Throughout Hispanic Heritage Month we also honor Hispanic Americans for their strong tradition of service in our Armed Forces. These proud patriots have fought in every war since our founding, and many have earned the Medal of Honor for their courage.

Hispanic service men and women have shown their love for the United States by answering the call to serve, and we owe them and their families a tremendous debt of gratitude. Their patriotism and valor have added to the character and strength of our nation.

The first Hispanic American to serve in the U.S. Congress represented Florida. Joseph Marion Hernández was born in St. Augustine when Florida was a Spanish colony. In 1822 when Florida became a U.S. Territory, Hernández transferred his allegiance to the United States and was elected a Delegate to the U.S. House of Representatives serving in our nation's Seventeenth Congress. He also served as a brigadier general and was the presiding officer of Florida's Territorial House of Representatives.

There have been many Hispanic Americans with notable achievements in science and medicine. The first Hispanic American Astronaut, Franklin Chang-Díaz of Costa Rican descent, earned his doctorate in applied physics from MIT and flew an astounding seven Shuttle Missions. Astronaut Ellen Ochoa was the first Hispanic female in space, flying four Shuttle missions.

Hispanic Americans have been awarded the Nobel Prize for Physics and Medicine, the Medal of Honor; have won the Pulitzer, Oscar and Tony Awards, achieved sports fame, and have been inducted into the Rock and Roll Hall of Fame.

National Hispanic Heritage Month is an opportunity to celebrate the spirit and accomplishments of Hispanic Americans everywhere and events like the Viva Brevard festival provide an opportunity to share and experience the diversity of cultures from Latin American countries and bring us all closer together as a community.

HONORING CONGRESSMAN JERRY COSTELLO

SPEECH OF

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 12, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today in recognition of my colleague and Illinois neighbor Congressman JERRY F. COSTELLO for his tireless efforts in representing part of the St. Louis metro area in Southern Illinois.

His 24 years in the House of Representatives have been distinguished by his exceptional ability to achieve and selfless resolve to advance our nation and our bi-state region.

JERRY's civic work began well before his tenure in Congress. This was apparent even in college, where his eagerness to serve the community he called home led him to divide time between his studies and a job as a full time law enforcement officer. He chose to follow this path after college, and his ingenuity and knowledge of the regional court system made him prominent throughout Illinois. His devotion, practicality, and unwavering focus on his community would see his election as chief executive of one of Illinois' largest counties and eventual rise to Congress.

His career has been marked by leadership and consistent achievement, particularly in the field of transportation, where his record is as extensive as it is impressive. In 2005, he took the lead role to secure $150 million for a new Mississippi River bridge as part of one of the biggest earmarks in U.S. history because of its classification as a project of national significance. He brought MetroLink to Southern Illinois, a new transportation network that has improved infrastructure and simultaneously boosted and connected the regional economy. I have been proud to serve alongside Congressman COSTELLO on the Transportation and Infrastructure Committee and the Science Committee and I know all his colleagues on both sides of the aisle will deeply miss his leadership and knowledge. Furthermore, his constituents will miss his devotion to improving their lives, creating jobs, and bettering the region's infrastructure.

JERRY's accomplishments exemplify his commitment to issues ranging from safety to poverty, from the economy to defense. His efforts have benefitted not just his district, but the nation as a whole. Beginning in 1995, for example, JERRY undertook a decade-long endeavor to save Illinois' Scott Air Force Base from closure. Continuous efforts to improve base facilities and funding to keep it off the closure list eventually prevailed. The Air Force base is now one of the largest employers in the St. Louis region and ranks among the nation's most important with the operation of the Air Mobility Command.

As the Chairman and Ranking Member of the House Aviation Subcommittee, he has led the effort to modernize our aviation system and helped pass a bill this year that secured the place of our aviation system as the best and safest in the world for years to come. Several years later, he helped write the Airline Safety and Pilot Training Improvement Act of 2009. The bill requires pilots to now log more hours and undergo more rigorous training before being able to pilot commercial airplanes.

This coming January, my good friend JERRY will be retiring.

His decades of service have provided Illinois, the St. Louis bi-state region, and Congress a guiding voice that will be sorely missed. He retires with a legacy that the next generation of American leaders should hope to emulate.

I have been proud to serve alongside JERRY in Congress, serving the same region, and serving on two committees together. I have seen firsthand the incredible work he has done, and the stamp he has left on this place and the impression he has made on all of us who have had the good fortune to work alongside him. While JERRY will no longer be in Congress, I have no doubt that he will continue to serve his community and his country.

Mr. Speaker, please join me in congratulating JERRY COSTELLO on a successful career and wishing him and his family all the best as he retires. Thank you, JERRY.

RECOGNIZING SONIA GUTIERREZ

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing the many accomplishments and contributions of Sonia Gutierrez, who for 40 years has served the residents of the District of Columbia with passion and dedication as one of this city's most productive and prominent education leaders and one of its most distinguished leaders. Mrs. Gutierrez, a talented institution builder, is best known as the founder and president of the Carlos Rosario

International Public Charter School. She also established the Council of Latino Organizations here, and together with others, helped establish the Mayor's Office on Latino Affairs.

Sonia built Carlos Rosario from a small nonprofit teaching English to Latinos, into today's groundbreaking, comprehensive learning center offering support services, from English as a second language to citizenship and career services, to 2,500 residents. Her efforts are now spreading to a new site to be dedicated as the Sonia Gutierrez Campus. For her visionary leadership Mrs. Gutierrez earned the Ana G. Mendez Excellence in Education award and induction into the Washington Women's Hall of Fame, among many other awards for giving thousands of students an opportunity to change their lives.

I now ask the House to recognize Sonia Gutierrez for 40 years of tireless and selfless passion as an educator, organizer and advocate.

A TRIBUTE TO LAURA TIBBS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Laura Tibbs of Alden, Iowa for being awarded the Girl Scout Gold Award.

The Gold Award is the highest award that a high school-aged Girl Scout can earn. This is a prestigious honor as fewer than 6 percent of eligible Girl Scouts attain the Gold Award in a given year.

To earn a Gold Award, a Girl Scout must complete a minimum of 80 hours towards a community project that is both memorable and lasting. For her project, Laura brought attention to the issue of school supplies that are wastefully discarded despite widespread need. The work ethic Laura has shown to earn her Gold Award speaks volumes about her commitment to serving a cause greater than herself and assisting her community.

Mr. Speaker, the example set by this young woman and her supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Laura and her family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her on obtaining the Gold Award, and I wish her continued success in her future education and career.

HONORING ST. JOSEPH'S COLLEGE CENTENNIAL

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. PINGREE of Maine. Mr. Speaker, I would like to honor a college in my District that is celebrating 100 years of teaching students and instilling in them incredible ethics about service to others.

St. Joseph's College was founded in 1912 by the Portland Regional Community of the Sisters of Mercy of the Americas, with classes taking place in the Motherhouse in Portland, Maine.

Much has changed in the last hundred years. Today, over a thousand students attend the college. Many live at a beautiful campus overlooking Sebago Lake in Standish, Maine, while many others take classes online—something that would probably be difficult for the Sisters to imagine in 1912.

While the college has successfully seized opportunities to grow and adapt with changing times, its core values are completely intact. Service to others remains a defining characteristic of its culture. St. Joseph's students take part in an impressive number of service projects, including volunteering at health clinics in Guatemala, an active chapter of Habitat for Humanity, and Catherine's Cupboard, a local food pantry run by the college and the Town of Standish.

Another aspect of the school that is close to my heart is the college's commitment to serving healthy, local food to its students. Bon Appetit, the school's food service provider, has demonstrated that locally sourced products can work even for large institutions. Among their pursuits at St. Joseph's are featuring meals with ingredients only from the surrounding area and helping operate a small farm on the campus.

I extend to St. Joseph's College—along with its staff, students and alumni—the warmest congratulations on its first hundred years, and best wishes for a hundred more.

40TH ANNIVERSARY OF THE TRUST FOR PUBLIC LAND

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. MCCOLLUM. Mr. Speaker, I rise today to honor the Trust for Public Land on the occasion of its 40th anniversary.

In 1972 a group of conservation-minded business professionals took the message of the first Earth Day to heart and saw a unique opportunity to meet the challenge of increasing encroachment on green space and natural areas. Using business sector strategies, this group of finance experts, real estate professionals and attorneys formed a trust to pool their talents and knowledge to conserve and expand the natural environment for the health and enjoyment of the public. The Trust for Public Lands was born.

Initially the Trust for Public Land focused conservation efforts on urban and suburban areas. As success grew, the focus expanded to include working in rural areas. As a result of this hard work and innovation more than 4,250 park and conservation projects throughout the country have been completed, often by fostering public-private partnerships.

During the past four decades, the Trust for Public Lands has developed expertise beyond the development of land trusts, to advising and assisting communities in the passage of conservation focused ballot measures, using GIS technology to better map and identify conservation opportunities, and combating climate change. The Trust for Public Land has developed a legacy of providing legal and philanthropic resources for community-driven conservation initiatives in Minnesota and across the country.

The Trust for Public Land is an invaluable resource to Minnesota and communities in my congressional district through its unique approach to conservation. The work of the dedicated Trust for Public Land staff and volunteers has played a major role in protecting many of the spectacular parks, natural spaces, and protected watersheds which make our state great. I am proud to commend the Trust for Public Land on 40 years of accomplishments and wish them much success in the years to come.

Mr. Speaker, in honor of the 40th anniversary of the Trust for Public Land, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

TRIBUTE HONORING CAMPUS FIRE SAFETY MONTH

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. PASCRELL. Mr. Speaker, I rise today to honor the Trust for Public anniversary of Campus Fire Safety Month.

In September 2005, eleven sitting Governors issued the first proclamation recognizing the month of September as Campus Fire Safety Month. Ever since, public officials across the country have continued to champion the cause of campus fire safety.

Since 2005, over 200 proclamations in honor of Campus Fire Safety Month have been issued by Governors, Legislators, and public officials. I am proud to add my voice in recognition of September as Campus Fire Safety Month.

I first became involved in the issue of campus fire safety following a tragic fire at Seton Hall University in my district, in which three students were killed. Since that time, we have made many strides, including the passage of the Campus Fire Safety Right to Know Act, which will ensure that prospective students and their families are provided with the fire safety records, information and statistics of colleges and universities.

However, there is still much work that must be done. Since 2000, 155 students have tragically died in campus-related fires. While the annual number of fire-related deaths has significantly dropped since 2005, nine students still died in possibly preventable fire-related deaths in 2011.

That is why now, more than ever, we must do all that we can to promote fire safety instruction amongst our nation's college campuses.

It is my sincere hope, that college campuses in New Jersey and across the nation will participate in Campus Fire Safety Month activities throughout September. We must do all that we can to keep our nation's students safe and informed. This is also why I introduced the Campus Fire Safety Education Act, to provide universities with grants they can use to develop or implement campus fire safety education strategies. We must do everything in our power to ensure the safety and security of our children when they leave for college.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing and commemorating

vital observances like Campus Fire Safety Month.

Mr. Speaker, I ask that you join our colleagues, students, firefighters and educators, in recognizing September as Campus Fire Safety Month.

A TRIBUTE TO KATIE LUZIER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Katie Luzier of Norwalk, Iowa for being awarded the Girl Scout Gold Award.

The Gold Award is the highest award that a high school-aged Girl Scout can earn. This is a prestigious honor as fewer than 6 percent of eligible Girl Scouts attain the Gold Award in a given year.

To earn a Gold Award, a Girl Scout must complete a minimum of 80 hours towards a community project that is both memorable and lasting. For her project, Katie raised funds to permanently clean up trash on a bicycle path in her community. The work ethic Katie has shown to earn her Gold Award speaks volumes about her selfless commitment to serving others and assisting her community.

Mr. Speaker, the example set by this young woman and her supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Katie and her family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating her on obtaining the Gold Award, and I wish her continued success in her future education and career.

HISPANIC SERVING INSTITUTIONS WEEK

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROYCE. Mr. Speaker, I rise to recognize and celebrate Hispanic Serving Institutions (HSI) Week. As Hispanic Heritage Month began September 15 and runs until October 15, 2012, I would like to acknowledge the numerous accomplishments the Hispanic community has achieved and continues to contribute to our nation. This week, September 16 to September 22, 2012, it is important to honor Hispanic Serving Institutions because they play an integral part in strengthening the Hispanic community through fulfilling students' higher educational needs.

In Orange County, California, I am proud to highlight California State University Fullerton (CSUF), my Alma Mater. In a county where 33.8% identify themselves as coming from Hispanic or Latino decent, not only is CSUF the only Hispanic Serving Institution in Orange County, it is the first in California and fourth in the United States in awarding baccalaureate degrees to Hispanic students. Additionally, it also ranks 19th nationally in Graduate Student enrollment. Educational institutions, like CSUF, embody the opportunity that translates to future success.

As the Hispanic community continues to grow, HSIs shape and promote education by providing the necessary tools to achieve academic success in fields ranging from science to business. Ultimately, these institutions empower citizens who work to give back and improve our nation. Where the Hispanic community remains an influential and growing force, not only in California, but nationally, it is important to distinguish HSI's commitment to academics as vital to the United States' success and growth.

REPUBLIC OF CHINA'S NATIONAL DAY ON OCTOBER 10

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. SULLIVAN. Mr. Speaker, as millions of Chinese around the globe celebrate the Republic of China's National Day this October 10, we need to acknowledge the fact that it hasn't been easy for Taiwan to be a beacon of democracy and an island of prosperity in a world of tyrants and economic uncertainty. Taiwan's many achievements are attributable to the tireless efforts of their people and leaders throughout the decades.

I am proud to see that the United States has always been on the side of the Republic of China. During WW II, the United States and China were partners in war and we supported Taiwan against potential adversaries for decades until we enacted the Taiwan Relations Act in 1979. In recent decades, we witnessed Taiwan's evolution from authoritarian rule to full democracy. At the same time Taiwan has been a good political, economic and cultural ally of the United States. In recent years, Taiwan has been very strong in cooperating with us against global terrorism.

I am glad that we have re-established high level trust with President Ma Ying-jeou's administration. Taiwan has resumed important arms purchases from us and that Taiwan has lifted the ban on U.S. beef imports and is looking to restart talks on the Trade and Investment Framework Agreement with us. I am sure that the United States and Taiwan will be helping each other in many areas in the years to come.

Congratulations to the people and leaders of the Republic of China (Taiwan) on their National Day.

HONORING ALISON TUDOR

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor the dedicated work of Alison Tudor who serves as the Program Director with Mountain Crisis Services in Mariposa. As the Program Director, Alison spearheads the mission of Mountain Crisis Services, which seeks to prevent domestic and sexual violence by advocating for positive changes in the community.

Alison was born and raised in Tallahassee, Florida. She graduated from the University of Florida in Gainseville with a Bachelor's Degree in Wildlife Ecology. Her love of the outdoors brought her to Yosemite National Park, where she moved to work with youth in environmental education for five years.

For the past year, Alison has served as the Program Director at Mountain Crisis Services in Mariposa. Prior to beginning this position, Alison managed prevention programs, including Project Respect and Promoting Gender Respect, which aim to prevent bullying and teen dating violence in Mariposa County.

Along with her important work at Mountain Crisis Services, Alison has also contributed greatly to the rape prevention work being conducted in coordination with the University of California, Merced. This hard work has not gone unrecognized. Alison was awarded the Prevention Educator of the Year Award in August, 2012 given through the California Partnership to End Domestic Violence.

In addition to her prevention work, Alison serves as Chair for the Central Valley's Public Policy and Research Committee, a group which tracks legislation that impacts domestic and sexual violence. Alison's passion for knowing the complex issues surrounding domestic violence is a role which she embraces. She continuously goes above and beyond to assist the people of Mariposa. Alison is also a trained Doula. When she discovered that her community had about fourteen pregnant teens, she organized a parenting and childbirth class to address the specific needs of this young population. Furthermore, she spent countless hours helping to develop the Ethos Youth Center, a program of Mountain Crisis Services, which provides a healthy and safe environment for youth to gather while connecting with positive adult role models.

Alison's ability to see the big picture makes her invaluable to her organization and to the prevention efforts against domestic violence and sexual assault.

Mr. Speaker, please join me in recognizing and thanking Ms. Alison Tudor for her hard work as the Program Director of Mountain Crisis Services and for her continued efforts to increase the safety and wellbeing of residents in our Mariposa community. I wish her continued success in her future endeavors, and again, thank her for her dedication to improving the lives of all people living in Mariposa.

A TRIBUTE TO EAGLE SCOUT ADAM WALKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Adam Walker of Hiawatha, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about 5 percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. The work ethic Adam has shown in his Eagle Project and every other

project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Adam and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

TRIBUTE TO TEXAS PANHANDLE HONOR FLIGHT

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. THORNBERRY. Mr. Speaker, I rise to recognize the 94 veterans from Texas who will be visiting Washington, D.C., this week through the Texas Panhandle Honor Flight. On behalf of a grateful state and nation, we welcome these heroes to the nation's capital.

The veterans on this flight are: Charles Allen, U.S. Army Air Corps; Larry K. Baggett, U.S. Marine Corps; Wayne Baker, U.S. Army Air Corps; Jack Barnes, U.S. Navy; John Barnes, U.S. Navy; Donald E. Barton, U.S. Navy; Emmett L. Barton, U.S. Army; Clarence A. Betzen, U.S. Air Force; Kenneth S. Bjork, U.S. Navy; Albert Bland, U.S. Air Force; Clarence O. Bodling, U.S. Marine Corps; Van E. Bradford, U.S. Army; Roy M. Bradstreet, U.S. Army; Billy F. Brown, U.S. Army; Jerry Buttel, U.S. Air Force; Herbert R. Bytheway, U.S. Air Force; Lewis Cates, U.S. Army; Michael Cattaneo, U.S. Army; Paul E. Cattaneo, U.S. Army; Ernest Clark, U.S. Air Force; Lee J. Clark, U.S. Navy; Rodney E. Clark, U.S. Air Force; Ronald E. Clark, U.S. Army; Richard L. Collins, U.S. Navy; Michael Colon-Mateo, U.S. Army; Robert O. Counts, U.S. Army; Nicholas Devito, U.S. Army; William M. Edes, Texas Army National Guard; Warren Farris, U.S. Air Force; Donald E. Fine, U.S. Air Force; Antonio C. Flores, U.S. Army; John M. Gilbreath, U.S. Army; Kenneth G. Hammit, U.S. Navy; Homer Hampton, U.S. Navy; William J. Harris, U.S. Navy; James M. Hash, U.S. Army; Kenneth Holcomb, U.S. Army; Arthur L. Hulsey, U.S. Navy; Walton R. Humphrey, U.S. Navy; Joe R. Irwen, U.S. Marine Corps; Blythe Johnson, U.S. Navy; Robert Johnson, U.S. Army; Carl R. Lee, U.S. Navy; Elmer H. Lehnick, U.S. Army; Delwood Locke, U.S. Navy; Cecil E. McCarrell, U.S. Navy; Bill McCarty, U.S. Army; James O. McCracken, U.S. Army; Larry M. McCracken, U.S. Navy; Arch R. Moseley, U.S. Army; Felix P. Mote, U.S. Army; Frank Muratori, U.S. Army; Stephen L. Myers, U.S. Air Force; Wayne Nevins, U.S. Army; Clarence H. Nichols, U.S. Army; Anthony L. Paschel, U.S. Army; Don L. Patterson, U.S. Navy; Travis W. Peninger, U.S. Air Force; Jeffrey W. Pickard, U.S. Navy; Ellis B. Posey, U.S. Army; Jerald B. Post, U.S. Navy; Ronnie D. Powell, U.S. Army; William N. Quattlebaum, U.S. Navy; Ernest H. Ramm, U.S. Army; Roger Redman, U.S. Army; Donald E. Ricks, U.S. Army; E.J. Riley, U.S. Coast Guard; Joe C. Rivera, U.S. Army; Joe M. Rivera, U.S. Air Force; William W. Rowell, U.S. Army Air Corps; Jacquelynn R. Salek, U.S. Navy; Richard G. Schacher, U.S. Air Force; Danny W. Schilling, U.S. Army; Calvin W. Skipper, U.S. Navy; Milton M. Skipper, U.S. Army; David S. Stear, U.S. Army; Charles R. Stokesberry, U.S. Army Air Corps; Larry D. Teague, U.S. Navy; Robert A. Thompson, Sr., U.S. Marine Corps; Clifford W. Thornton, U.S. Army; Bobby J. Thorpe, U.S. Navy; Brent V. Thorpe, U.S. Marine Corps; Fredric E. Tout, U.S. Air Force; Scott Tout, U.S. Army; William P. Vann, Texas Army National Guard; Eugene S. Waits, U.S. Navy; Jack D. Waller, U.S. Army; Butch G. Warren, U.S. Navy; Forrest W. Warren, U.S. Army; Robert C. Whitney, U.S. Navy; Roy L. Wilhite, U.S. Army; Reece Wilterding, U.S. Army; James Windor, U.S. Army; Otho Wiseman, U.S. Army.

Mr. Speaker, I am humbled by the opportunity to meet these men and women who exemplify the greatness of America. The services they rendered to our country can never be fully repaid, but I hope that when they visit Washington, D.C., it will reflect the gratitude and respect we have for them.

Colleagues, please join me in thanking these veterans and their families for their exemplary dedication and service to this great nation. I would also like to extend a special thank you to the local communities, all of the volunteers, and Mr. Jack Barnes for their extensive work in organizing this Honor Flight. This trip would not have been possible without all of the financial and emotional support of the people who have put in so much hard work and personal time to make sure this trip could be possible.

HONORING THE SERVICE OF PERRYENE LICKERT

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GUTHRIE. Mr. Speaker, I rise today to congratulate Perryene Lickert on retiring after 31 years dedicated to civil service at Ft. Knox.

Since 1981, Ms. Lickert has served our nation in a multitude of capacities. From working in the Commissary as a Sales Store Checker to working as a Military Personnel Clerk in several departments, Ms. Lickert has dedicated her career to a greater cause.

Next week, Ms. Lickert's civil service ends as a Human Resources Assistant in the Health Services Directorate with the U.S. Army's Recruiting Command.

Upon Ms. Lickert's retirement, I want to wish her well and thank her for her service to both the Ft. Knox community as well as our great nation. You have made Kentucky's Second Congressional District proud.

HONORING THE CENTENNIAL CELEBRATION OF THE FOUNDING OF NATALIA, TEXAS

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to recognize and honor the centennial celebration of the founding of Natalia, Texas.

Natalia, which is located approximately 30 miles southwest of downtown San Antonio, was founded in 1912 by the Medina Irrigation Company. The town was named after Natalie Pearson, daughter of Fred Stark Pearson, who oversaw the irrigation company and building of the Medina Dam. During the town's application process for a post office the following year, Natalie's name was misspelled and the town became known as Natalia.

After the deaths of Pearson and his wife, who were passengers on the ill-fated Lusitania which was sunk by German forces in 1915, the Medina Irrigation Company went bankrupt and was subsequently reorganized under the name of Medina Irrigated Farms in 1931. Despite the tough economic environment in the U.S. during that time, Charles F. C. Ladd was successful in selling bonds in the amount of $2.5 million to pay for the Medina valley irrigation and to create a new loan fund for prospective land purchasers. As a result, the town prospered and increased its population from 150 in 1933 to 400 in 1939.

Today, Natalia is home to more than 1,400 people and is a vibrant community that is home to many families and businesses. Its centennial celebration will be marked with proud and exciting festivities that symbolize Natalia's wonderful history. I am proud to recognize this special event and have the opportunity to represent Natalia in the United States House of Representatives.

HONORING DAN ANDERSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize the outstanding achievement of Dan Anderson of Blue Springs, Missouri. Dan was the principal of the Blue Springs Freshman Center in Blue Springs, Missouri, and is the Missouri Association of Secondary School Principals' Principal of the Year. This prestigious award recognizes Dan's ability to excel and impact in the ever-demanding role of principal and lead educator in all aspects of education.

Mr. Speaker, Dan's impact in the areas of collaborative leadership, curriculum, instruction and assessment, and his personalization of the learning environment are stellar and recognized by his fellow educators, parents, and community. The selection was made from more than 600 high school principals throughout the Great State of Missouri. The Blue Springs Freshman Center is unique with 1,100 freshmen students within the Blue Springs School District. Dan was able to effectively position the talent of his team, motivate excellence in his school's curriculum, and clearly communicate purpose with the families and community in Blue Springs.

Mr. Speaker, I ask that you join me in applauding Dan Anderson's outstanding professionalism and commitment to educating the American youth. I join with Dan's colleagues, family, friends, and students in congratulating Dan on his outstanding achievement, and wish him good luck in his future endeavors.

H.R. 6429, THE STEM JOBS ACT OF 2012

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KIND. Mr. Speaker, my Republican colleagues this week are attempting to make a case for the importance of education, yet their budget this year slashed funding for education and for basic and applied research, creating barriers for traditional students, returning students and worker training. This is not the approach to ensure our students have the skills they need to match the jobs that are available. And this is not the approach to capitalize on the American ingenuity that will lead to economic growth.

We know that students trained in science, technology, engineering and math (STEM), are acquiring the skills to fill and succeed at the jobs of the future. In order to increase American competitiveness, create good paying jobs, and ensure our position on the global stage, we have to invest in education, worker training and research in STEM studies. For years in my position as Co-Chair of the Innovation, Competitiveness and Tax Reform Task Force of the New Democratic Coalition I have called for exactly that—a renewed focus on STEM skills in the workforce.

And not just in our own students, but we must also remove the barriers to success for international students training in STEM studies at U.S. institutions. Instead of sending these highly-skilled international students back to their native countries, where they contribute to the foreign economies we are competing against, let's provide them with visas and let the American economy take advantage of these skills.

There is a real opportunity for these highly trained international students to achieve the American dream and contribute talent, creativity and innovative skills that will help ensure our place in a competitive global economy. And there is an actual opportunity to get something signed into law but we know the real work will have to come next Congress, as there are few days left to get much done this fall.

America's future as a global competitor depends on our ability to come together as leaders and make the hard decisions and smart investments as well as enact the policies that put us on a long-term path to prosperity. We cannot let America's future get bogged down by politics. There is too much at stake.

TRIBUTE TO THREE OLYMPIC MEDALISTS KESHIA BAKER, NATALIE COUGHLIN AND HEATHER PETRI

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GARAMENDI. Mr. Speaker, I rise today to congratulate three local heroes from the 10th District of California, Keshia Baker, Natalie Coughlin and Heather Petri. At the 2012 London Olympic Games Keshia won the gold medal in the Women's 4x400m relay, Natalie won the Bronze in the Women's 4x100m freestyle swimming relay and Heather won gold as part of the Women's Water Polo team. These three inspiring women having assured places on the storied list of Olympians from our district, and have become role models of our community.

Keshia was a first time Olympian in London but you wouldn't know by the way she carried herself. Keshia graduated from Fairfield High in 2006 whereupon she attended the University of Oregon. In between setting athletic records at Oregon, Keisha started her own non-profit supporting young disadvantaged student athletes as well as graduating with Honors in Psychology.

Natalie is an Olympic veteran and a national household name who has performed at an amazing level as a member of the US Women's swimming team since 2004. Winning her 12th medal at the London games, Natalie has tied two others as the most highly decorated female Olympians in American history. As a lifelong resident of Vallejo and a graduate of my alma mater CAL, Natalie is and will continue to be an inspiration within our community.

Heather, a four-time Olympic veteran, has competed at a winning level for the past 12 years. Due in no small part to her excellent leadership and tenacity, the US Women's Water Polo Team earned gold in London. This was her fourth Olympic medal. Even at a young age Heather was an exceptional athlete; a founding member of her high school team, and a highly decorated college athlete from CAL, her success has been no surprise to our community.

Olympians are more than just exceptional athletes, they are exceptional Americans. Their ability to hurdle any obstacle, to apply hard work, dedication and perseverance to their goals embodies the best of the American spirit and the American people; they are role models to us all and ambassadors for America and we thank them.

HONORING THE 100TH ANNIVERSARY OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 332

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise with my fellow Congress members ANNA ESHOO and MIKE HONDA to honor the 100th Anniversary of the International Brotherhood of Electrical Workers Local 332.

For over a century, the International Brotherhood of Electrical Workers Local 332 has worked to ensure the safety and well-being of its members.

Established on August 25, 1912, with only fourteen members, it has grown today to include 2,700 men and women striving for the highest level of excellence in their trade. Their concern for safety, and pursuit for high quality education, led to the creation of one of the top electrical training facilities in the United States.

In fact, these skilled workers have been instrumental in building Silicon Valley into the globally renowned location it is today. Members of the Local 332 have participated in nearly every major construction project in Santa Clara County in the last 100 years; from field-pumps and canneries of the early 20th century, to the high tech companies that drive Silicon Valley's economy today.

Just as these tradesmen helped build our homes, schools, hospitals, and civic facilities, they also have helped shape our community and grow our economy.

Indeed, Local 332's members contributions extend beyond the workplace to building a better community. Its members are active volunteers and generous supporters of numerous community and non-profit organizations.

Their civic work has improved the opportunities and lives of not only their own members, but also countless people in Santa Clara County.

Along with myself, Representatives ANNA ESHOO and MIKE HONDA also wish to congratulate the International Brotherhood of Electrical Workers on its 100 year anniversary, and commend them for their work on behalf of workers' rights, craftsmanship, and their commitment to community in Silicon Valley.

IN HONOR OF CLEVELAND CITY COUNCILWOMAN PHYLLIS CLEVELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Cleveland City Councilwoman Phyllis Cleveland, who has been serving the Ward 5 community since being elected to the Cleveland City Council in 2005.

Councilwoman Cleveland has been a longtime resident of the community which she now represents, which includes the Central, North Broadway and Kinsman Union neighborhoods. The Councilwoman has spent her life in public and community service, working for the Cleveland Tenants Organization advocating for fair and affordable housing for Cuyahoga County residents. In 2009, Councilwoman Cleveland was chosen by Council President Martin J. Sweeney to serve as Majority Leader in the City Council.

Councilwoman Cleveland's goal for Ward 5 has always been to build a strong connection between residents and the community by keeping the neighborhood safe, clean, and affordable. To do this, she has supported programs to clear the city of vacant and abandoned housing, replacing it with new houses and businesses. She has continued the community and economic development started by Mayor Frank G. Jackson when he was the Ward 5 Councilman.

Mr. Speaker and Colleagues, please join me in honoring the accomplishments of Councilwoman Phyllis Cleveland.

IN RECOGNITION OF THE ASSOCIATION OF GREEK AMERICAN PROFESSIONAL WOMEN AND ITS WOMAN OF THE YEAR, LOULA LOI ALAFOYIANNIS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to honor the Association of Greek American Professional Women. In March 2011, it honored my good friend, Loula Loi Alafoyiannis, as its Woman of the Year at an awards ceremony held on International Women's Day. In a fitting tribute, it is presenting a scholarship to an outstanding female student of Hellenic descent in Loula's name.

Founded in New York, the Association of Greek American Professional Women (AGAPW) is an independent non-profit organization that provides a forum for American women of Hellenic descent working in various professions and businesses. It is a clearinghouse for information, resources, support and networking opportunities, and helps to expand career opportunities and advance Greek-American professional women by forging partnerships and establishing symbiotic relationships with other organizations within and outside the Greek-American community. In so doing, AGAPW plays an important supportive role for Hellenic American women who seek to work and improve their quality of life in the U.S., Greece, Cyprus, and around the world.

Loula Loi Alafoyiannis is a remarkable leader whom I am proud to call my friend. She is the Founder, Global President, and Chief Executive Officer of the Euro-American Women's Council (EAWC), which since 1996 has helped forge ties between entrepreneurs in Europe and America and advance women's rights and opportunities in the worlds of business and education.

Loula Loi Alafoyiannis is widely admired in the world of business and government for her strategic acumen and wise counsel. She provided training to prospective start-up business proprietors in Azerbaijan and was honored with IBM's prestigious Crown Award for women entrepreneurs. She served as a trusted advisor to me and to many distinguished public servants, including former Congressman Joseph Kennedy of Massachusetts, former New York Governor Mario Cuomo, U.S. Senators Hillary Clinton and Paul Sarbanes, and others. In addition, she is a noted public speaker who has delivered lectures before the National Foundation for Women Legislators and other distinguished audiences in both the public and private sectors.

Prior to founding the Euro-American Women's Council, Loula served as Vice President of the United States Hellenic American National Council, which she co-founded with her husband, John. It helps to build bridges between Greek and American entrepreneurs and to advance women's opportunities in business and education.

Loula is also a dedicated philanthropist and humanitarian who has devoted herself to serving others through many worthwhile causes. She sits on the Human Rights Advisory Council of New York, volunteers with the Daughters of Roumeli and the Hermes Athletic Club in New York, and was named Woman of the Year by the Boys Club of Queens. For her tireless humanitarian efforts, she was honored by the Asociacion Mexicana de Mujeres Jefas de Empresa. In particular, Loula has devoted herself throughout her life to assisting those affected by cancer and other serious illnesses, especially low-income children from Greece.

Despite her busy career, Loula has remained focused on her beloved family. She is deeply devoted to her husband John, their daughter Rania, son Konstantine, daughter-in-law Nina, son John-Nicholas, Jr., daughter-in-law Nadia, and her "crown jewels", her grandchildren Aristotle, Konstantine John, and Isabella-Rania.

Mr. Speaker, I request that my esteemed colleagues join me in paying tribute to the Association of Greek American Professional Women and its 2011 Woman of the Year, Loula Loi Alafoyiannis.

HONOR FLIGHT COLORADO'S EIGHTH FLIGHT

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GARDNER. Mr. Speaker, I rise on the occasion of Honor Flight Northern Colorado's eighth flight to Washington, D.C. bringing Veterans of WWII, Korea, and Vietnam to see their memorials. On behalf of a grateful delegation, state, and country, we welcome these heroes.

The 122 Veterans on this flight include 48 from the Korean conflict, and 8 Purple Heart recipients from the Vietnam War. The Honor Flight program, founded in 2005, was intended to first honor all WWII Veterans that could make the trips, but then to afford the same to those from the Korea and Vietnam eras. We are, this day, honoring those Veterans from Korea (the Forgotten War) and Vietnam, our longest conflict in modern times, as they get to see their memorials. These trips are provided to our Veterans at no cost to them or their families.

The fact that these soldiers, sailors, airmen, Marines, and Coast Guardsmen would uproot themselves from their homes and families and put themselves in harm's way for our country is very humbling. The sacrifices they—and the families they left behind—made are truly incredible. The debt of gratitude we owe them can never be repaid, for without their honor, courage, commitment, and above all—sacrifice we would not able to enjoy the freedoms we have today.

Please join me in thanking Charles Agnew, Lewis Ashcraft, Robert Barnd, Eugene Bonkiewicz, Carson Bright, Frank Brown, Wayne Bullock, William Castor, Lowell Dart, Donald Draxler, Robert Duntsch, Jose Duran, Joseph Edwards, George Emerick, Jack Endacott, Marvin Fowler, Robert Gillham, Warren Garst, Joseph Graham, William Hampton, Walter Hayword, Roland Kaiser, Willis Kramer, Victor Lazar, David Leon, Verne Lewellen, Harry Livingston, Mary Livingston, Gilbert Lopez, Russell Mam, W. Dennis McHenry, Raymond Mega, Gerald Monroe, Donald Morrison, Bernard Nettesheim, Reynolds Olson, Homer Phillips Jr., Richard Porter, Marion Raines, James Rauenbuehler, Frederick Reck, Gilbert Rohde, Walter Sapp, Henry Schmitt Jr., John Shedd, Alan Schultes, Bill Shupe, Waldo Smith, Charles Smoot, Fredrick Stein, William Stromberg Sr., Gene Thorson, Clyde Treadway, Theodore Wahler, Arthur Wartburg, Crowell Werner, James White, Robert Williams, Evans Woodhouse, Darryl Anderson, Raymond Anderson, Donald Armagost, James Ball, Eugene Ball, Harry Ball, Leslie Brumley, Orlis Charboneau, Dale Crist, Robert Cupp, Timothy Daley, Bobbie Desmond, Edward Eson, Clarence Ehrlich, Alvin Eurich, Francis Fleming Jr., James Flynn, Leslie Fraley Jr., George Frysinger III, Richard Gero, John Goad, Virgil Hanson, Roman Hermann, John Hess, Billy Hettinger, Donald Hoffner, Marguerite Ingram, Robert Kramer, Robert Kruger, Lindy Leifheit, Chester McCoy, Chester McGuire, William Miller, Raymond Nuss, James Ochsner, Louis Peterson, Marshall Petring, Arnold Piel, Wayne Pimple, Richard Reagan, Gerald Rice, Harry Rieger, Edward Roebuck, Gerald Ross, Alan Seaman, Dick Sears, Joseph Sellers, William Shirey, Norris Slechta, Robert Stanley, Elizabeth Strahan, Clarence Strahan Jr., William Striffler, Darrell Viegut, Sam Warner, Doyle Biggs, Paul Delgado, Edward Fast, Dennis Henneberg, Donald Hess, Daniel Menzies, Jack Roberts, Steven White, Irvin Tregoning, Jimmie Tregoning and Merrill Tregoning for their dedication, commitment, and service to this great nation.

JOY PINNIGER'S RETIREMENT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise to take this opportunity to recognize Jennifer Joy Pinniger on the occasion of her retirement as President and CEO of the National Stone, Sand & Gravel Association (NSSGA). Ever since Joy joined the National Stone Association sixteen years ago, she has been an advocate of the 107,800 men and women in the aggregates industry workforce.

She has focused NSSGA's advocacy on those issues with the most potential impact on the industry, always aware that the most effective advocates are those members of NSSGA who work every day to produce the construction materials essential to the built environment.

She has dedicated herself to educating Members of Congress and the public alike about the importance of the aggregates—or the stone, sand and gravel industry—not only to the Country as a whole, but to our individual lives.

About 10 tons of aggregates per person are used annually in America—everything from glass to cleaning products to pharmaceuticals, toothpaste , and so much more. Every mile of interstate contains 38,000 tons of aggregates and about 400 tons of aggregates are used in construction of the average home.

Joy led NSSGA's advocacy for the successful passage of the last two surface transportation authorization bills—SAFETEA–LU and MAP–21.

She worked closely with coalition partners in the Transportation Construction Coalition and the Americans for Transportation Mobility. She realized early on that involvement of the public—those affected by the need to get to and

from jobs on a daily basis, to take parents to the doctor, to attend children's soccer games; in reality all of us—was critical to success in moving surface transportation legislation forward. Joy worked tirelessly facilitating NSSGA member contacts with community leaders and lawmakers to build momentum for this often overlooked national priority.

Her leadership extended well beyond transportation to those regulatory issues affecting the aggregates industry. She championed the industry in meetings with administrative regulatory agencies, always intent on finding solutions that were right for both the aggregates industry and America. Most importantly, Joy always emphasized the industry's ethics and credibility through NSSGA member company commitments to safety and health resulting in 11 years of record-breaking achievements.

Joy's policy, management and motivational strength has helped NSSGA members reinforce message and guide relation bridges to fend off unjustified regulations like tightened standards for "farm dust," and legislation that does not accurately distinguish aggregates operations from others.

I salute Joy Pinniger on her tenure at the National Stone, Sand & Gravel Association which she led with distinction and integrity. I congratulate her on her retirement and wish her the very best in the years ahead.

IN HONOR OF OHIO SENATOR NINA TURNER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Senator Nina Turner of Ohio's 25th Senate District.

Senator Turner began her political career as a legislative aide in the Ohio Senate, followed by her tenure on the administration of former Cleveland Mayor Michael R. White. After working in the Mayor's office, she went on to advocate for city school children as Director of Government Affairs for the Cleveland Municipal School District. She was later elected as the first woman to represent Ward 1 in Cleveland's City Council.

While serving in Ohio's 25th Senate District, Senator Turner has served as Senate Minority Whip and Ranking Member of the State and Local Government and Veterans Affairs Committee. She is a board member of the Great Lakes Science Center, the United Way of Greater Cleveland, and the Cleveland Police Foundation. Senator Turner has also been recognized three years in row by Inside Business Magazine as one of the "Power 100: Northeast Ohio's Most Influential People."

A first generation college graduate, Senator Turner stresses the importance of hard work and education. She not only supports education through legislation, she also serves as a professor of history at Cuyahoga Community College and a mentor to students and young people throughout the Greater Cleveland area.

Mr. Speaker and colleagues, please join me in honoring the achievements of Ohio Senator Nina Turner.

RECOGNIZING MR. ROY T. CAMPBELL, JR.

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROE of Tennessee. Mr. Speaker, I submit these remarks today to recognize Mr. Roy T. Campbell, Jr. of Tennessee's First District, who has been named 2012 Citizen of the Year by Senior Citizen Home Assistance for his longstanding dedication and service to Cocke County. For those unfamiliar with Senior Citizen Home Assistance, this is an organization that provides services to seniors and enables them to live at home. Once a year they recognize an exemplary individual and honor their achievements. Through his work as a lawyer and volunteer, Roy has made many selfless contributions to his community.

A graduate of the University of Tennessee School of Law, Roy has endeavored to help the citizens of Cocke County throughout his career. In addition to more than 61 years of practicing law, he has been involved in many civic, church, and community groups. He is a founding member of the Industrial Development Board of Cocke County, which has attracted businesses and jobs to the region. He has also been an enthusiastic supporter of higher education in East Tennessee with generous gifts to the University of Tennessee, UT School of Law, and East Tennessee State University.

Mr. Speaker, I commend Roy for his selfless contributions to Cocke County and wish him the best as he continues to exemplify the Volunteer spirit.

IN CELEBRATION OF THE 40TH ANNIVERSARY OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate the Uniformed Services University of the Health Sciences (USU) on its 40th anniversary and recognize this extraordinary university whose graduates serve our nation by caring for those in harm's way. I am honored that USU is located in Maryland's Eighth Congressional District.

Graduates of USU, which is based in Bethesda, Maryland, provide front-line care for our troops in Afghanistan and around the globe, aboard ships and airplanes equipped as state-of-the-art hospitals/emergency rooms and in public health facilities throughout our nation. These outstanding women and men are educated at USU in medicine, graduate nursing, dentistry, clinical psychology and biomedical research.

Over the past ten years, USU alumni have been routinely deployed in combat zones. They have established forward hospitals and have advanced battlefield medicine in ways not even envisioned only one decade ago. They have saved lives and worked to help restore wounded heroes' health. They have advanced basic research to address traumatic brain injury, amputations, post-traumatic stress, and treatment for infectious diseases, and have worked under harsh and austere conditions to provide the highest quality health care possible.

USU was established by an Act of Congress in 1972. Since then, it has graduated nearly 5,000 physicians along with hundreds who have received degrees in biomedical sciences in the School of Medicine and graduate level nursing in the Graduate School of Nursing. Recently, USU expanded to include a Postgraduate Dental College.

Charles Rice, MD, President of USU, describes USU as follows:

> The Uniformed Services University of the Health Sciences is a center of excellence for military and public health education and research. USU's programs are unique, as are our dedicated faculty, staff and students. The university benefits tremendously from its extraordinary alumni who return to teach, conduct research and guide others in clinical care. These devoted professionals bring a wealth of experience gained in military treatment facilities throughout the U.S. and around the world, as well as in combat, on ships, in airborne intensive care units, amid natural disasters and among a multitude of cultures.

Since 1980, when USU's F. Edward Hébert School of Medicine graduated its first class, the school has produced talented and dedicated physicians and leaders who serve in the Army, Navy, Air Force and Public Health Service. They include the following distinguished alumni:

Lt. Gen. (Dr.) Thomas W. Travis, U.S. Air Force, class of 1986, who in July 2012, took over as the 21st Surgeon General of the United States Air Force.

Rear Admiral (Dr.) Michael Anderson, U.S. Navy, class of 1983, who is proudly serving as the Medical Officer of the Marine Corps, overseeing the health care of more than 200,000 active duty Marines and their families.

Rear Admiral (Dr.) Sarah Linde-Feucht, U.S. Public Health Service, class of 1992, a board-certified family physician who is also the Chief Public Health Officer for the Health Resources Services Administration, where she is a member of the executive leadership team and senior policy advisor to the HRSA Administrator.

Col. (Dr.) Paul Pasquina, U.S. Army, class of 1991, who heads the Orthopaedic and Rehabilitation Service at the Walter Reed National Military Medical Center, Bethesda, and is responsible for ensuring that the many U.S. service members returning from combat with often debilitating physical and mental injuries are receiving the best care possible. These include soldiers like Army Col. Gregory Gadson, who lost both legs in Iraq, but with Col. Pasquina as his doctor, became the first recipient of the prosthetic "power knees" and remains on active duty as the new commander of Fort Belvoir in Virginia.

USU has also awarded nearly 1,300 degrees in the biomedical sciences to individuals who advance the science that underlies our ability to treat and protect against infectious diseases and other maladies affecting humankind. Distinguished alumni include the following:

Dr. Katherine Bossart, a 2003 Ph.D. graduate in Emerging Infectious Diseases now at Boston University, developed the first treatment (antibody) and first vaccine against two deadly viruses, Nipah and Hendra, that could

be used as potential biothreat agents. The antibody was successfully used, through compassionate use exception, to save the lives of three individuals with significant exposure to the Hendra virus.

Brigadier-General (Dr.) Jean-Robert Bernier, Canadian Defence Force, a 1997 graduate of USU's Master of Public Health degree program, was sworn in as the Surgeon General of Canada in July 2012.

The USU Graduate School of Nursing has conferred more than 600 master's degrees since its founding in 1993 and 15 doctorates since opening its Ph.D. program in 2003. These men and women serve in uniformed and federal services at home and abroad. They also work with the school's faculty to conduct research.

Air Force Capt. Jennifer Curtis, who graduated from USU's Family Nurse Practitioner program, Graduate School of Nursing, in 2009, was awarded the Bronze Star and other decorations for her heroic lifesaving actions of six soldiers while under fire in Afghanistan during her very first deployment.

In addition to its world-class educational programs, USU is dedicated to innovative research in military medicine, nursing and oral health as well as public health. Its research programs, devoted to preventive medicine, infectious disease, prosthetics, traumatic brain injury and post-traumatic stress disorder, are relevant both locally and globally.

The civilian members of USU's Board of Regents are appointed by the Secretary of Defense. They are prominent leaders in health care, higher education and public policy from across the country. Current members include:

Otis Brawley, M.D., Chief Medical Officer and Executive Vice President, American Cancer Society

Sheila Burke, Senior Policy Analyst at Baker Donelson and former Under Secretary of the Smithsonian Institution

General (Ret.) Ronald Griffith, former Vice Chief of Staff of the Army

Michael Johns, M.D., Chancellor of Emory University

Haile Debas, M.D., Executive Director of Global Health Sciences at the University of California, San Francisco

Kenneth Moritsugu, M.D., Vice President, Global Strategic Affairs for LifeScan, Inc., former Deputy Surgeon General of the United States

Gail Wilensky, Ph.D., Senior Fellow at Project HOPE and former Administrator of the Health Care Financing Administration

Ronald Blanck, D.O., Chairman and Partner of Martin, Blanck & Associates, former Army Surgeon General, and former President of the University of North Texas Health Science Center in Fort Worth. Dr. Blanck serves as Chair of USU's Board of Regents.

Ex-officio members of the Board include:

Dr. Jonathan Woodson, Assistant Secretary of Defense for Health Affairs

Lt. General Patricia Horoho, Surgeon General of the U.S. Army

Vice Admiral Matthew Nathan, Surgeon General of the U.S. Navy

Lt. General Thomas Travis, Surgeon General of the U.S. Air Force

Vice Admiral Regina Benjamin, Surgeon General of the United States

Dr. Charles L. Rice, President of the Uniformed Services University

The Board members' experience, knowledge and ideas will enable USU to continue its fine tradition of making significant contributions to military medicine and public health, helping to create a stronger, more effective military and federal health system in service to our nation and the global community.

Our nation is fortunate that USU fulfills well its mission of educating future generations of military and public health physicians, nurses, dentists and biomedical scientists. Moreover, USU is a particularly compelling example of the importance of public investment in our nation's future. I look forward to working with my colleagues in Congress, the leadership of the Department of Defense and the USU to ensure that USU has the support it needs to continue to fulfill the vision of its founders.

Mr. Speaker, I urge my colleagues to join me in congratulating USU, its students, alumni, faculty and staff on forty years of extraordinary contributions to our nation.

INTRODUCTION OF THE MEDICARE SECONDARY PAYER AND LATE ENROLLMENT PENALTY FAMILY FAIRNESS ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. STARK. Mr. Speaker, I rise to introduce the Medicare Secondary Payer and Late Enrollment Penalty Family Fairness Act. Today, the Social Security Act uses different definitions of familial relationships for purposes of Medicare secondary payer rules and late enrollment penalty protections. Beneficiaries over age 65 are subject to a more restrictive definition than younger beneficiaries who are eligible for Medicare due to disability. My legislation fixes that anomaly by creating a uniform definition so that Medicare beneficiaries of all ages are treated equally. I would like to thank my constituent Joseph Goleman for bringing this problem to my attention.

Medicare's secondary payer rules generally allow an individual to maintain employer-sponsored coverage after they've obtained Medicare eligibility and forgo joining Medicare Part B (and therefore having to pay the Part B monthly premium) as long as they maintain such coverage. In these instances, their employer-sponsored coverage remains their primary coverage, and Medicare Part A is their secondary coverage. Very importantly, the law also protects people in this situation who then transition to Medicare Part B when they lose that employer-sponsored coverage. The law shields these beneficiaries from the late enrollment penalty because they've maintained consistent coverage and therefore carry no adverse risk for Medicare. This is a key benefit as the late enrollment penalty is a substantial financial hit.

These rules exist because they are a win for beneficiaries with access to employer-sponsored coverage and a win for taxpayers. Beneficiaries gain because employer-sponsored coverage usually has lower cost sharing than Medicare and typically has lower deductibles as well. Plus, taxpayers win because Medicare isn't responsible for many new health costs for these individuals because they are being primarily covered by their employer's plan.

For people who become eligible for Medicare based on disability, the current law provides that these Medicare Secondary Payer and Late Enrollment Penalty rules apply to the beneficiary and his or her "family member." For people who become eligible for Medicare by reason of turning 65, these protections only apply to the beneficiary or their "spouse."

The practical impact of these different definitions of familial relationships is that a person eligible for Medicare based on disability is protected from late enrollment penalties when covered by a same sex spouse on his or her employer plan. However, a person eligible for Medicare because they've turned 65 is not.

I learned of this problem after I received a constituent inquiry in my Fremont, California office. Joseph Coleman is a 34-year-old person with a disability and is enrolled in Medicare on that basis. After becoming enrolled in Medicare, he learned that he could obtain spousal coverage and thereby avoid having to pay the Part B premium. He was also rightly informed that he'd be eligible to rejoin Medicare Part B—without paying a penalty—if that spousal coverage changed.

Imagine Joseph's surprise, anger, and fear when he went to exercise that right to rejoin Medicare Part B and he was told by a local Social Security office in our community, that that right didn't extend to him because he was in a same-sex marriage. Instead, he would be subject to a significant late enrollment penalty, which made Medicare Part B coverage entirely unaffordable for him.

Thankfully, Joseph reached out to me. My staff quickly discovered that he was, in fact, guaranteed the protection to rejoin Medicare without penalty. After several go 'rounds with the local Social Security office by my staff and Medicare's Region 9 staff, we were able to get Joseph the benefits to which he was due. However, it is clear to me that because there are two different standards in the law, mistakes are made and people are likely losing benefits to which they are entitled under current law. This certainly would have been the case with Joseph if I hadn't intervened.

Regardless of your position on same-sex marriage, revising the law to have a standard definition using "family member" for the Medicare secondary payer rules and the late enrollment penalty protection simply makes financial sense for Medicare. By converting to the term "family member," we steer clear of stepping into any debate over the Defense of Marriage Act. While I oppose that law and would strongly support its repeal, that's not the fight we're waging today.

The simple goal of this bill is to right a wrong, which was brought to my attention by a constituent. If left unchanged, not only does the law treat Medicare beneficiaries in identical situations differently, it obviously results in confusion for those who enforce the law. I am sure more people than Joseph Coleman have been wrongly denied benefits based on misinterpretation of the convoluted law—potentially accented by personal prejudices.

I urge my colleagues to join with me in support of this small bill that affects few people, but simply clarifies the law. It will mean the difference between people obtaining quality, affordable coverage through Medicare Parts A&B, or being left behind.

IN HONOR OF MR. DAN BRADY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Dan Brady, a member of the Cuyahoga County Council serving the Third District.

Dan Brady is a native of Cleveland, Ohio and has been active in public service for many years. He earned a degree in political science and history from Ohio University. He served on the Cleveland City Council from 1986 to 1996 before serving one term in the Ohio House of Representatives from 1996 to 1998. He left the Ohio House of Representatives to run for a seat in the Ohio Senate, in which he served until 2006. He was elected to the position of minority whip in the Ohio Senate in 2001. He now serves on the Cuyahoga County Council representing the Third District.

Dan Brady's accomplishments make him a remarkable figure in state and local government. As a member of the Cleveland City Council, Dan helped manage the expansion of Cleveland Public Power. In the Ohio House of Representatives, he supported the Beck Center for the Performing Arts and opposed legislation that would have reduced benefits to injured workers. In the Ohio Senate, he fought for legislation to reduce the risk of HIV among hospital workers working with needles.

Mr. Speaker and colleagues, please join me in honoring Dan Brady, a member of the Cuyahoga County Council who is dedicated to serving the citizens of Cuyahoga County and the State of Ohio.

HONORING CLAUDE L. AND MICHELLE D. WINFIELD

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to Claude and Michelle ''Shelley'' Winfield. The Winfields have made unique personal contributions in their professional lives and through their volunteer efforts to benefit New Yorkers at-large.

Mr. and Ms. Winfield have spent the majority of their professional careers in education. Mr. Winfield was born in Virginia and moved to New York City as a young boy. He earned an undergraduate degree in electrical engineering from New York University, and began his career working for Western Electric. He later earned masters degrees in elementary education and education administration from City University of New York. Mr. Winfield found his true calling when he began teaching. He taught 2nd grade English and middle school science, and later became the principal of Walt Whitman Middle School in Brooklyn, which served 1,900 students. Mr. Winfield is a strong proponent of the progressive teaching methods that he feels benefited him as a young student.

Ms. Winfield grew up in Pennsylvania, and earned an undergraduate degree in home economics from Howard University before beginning her teaching career. She received masters degrees in education administration from Fordham University and in special education from Adelphi University. For 15 years, until her retirement in 2002, Ms. Winfield was the beloved Supervisor of Special Education at Robert Wagner Middle School in Manhattan where she inspired in her colleagues and students an appreciation for the intrinsic value of education.

The Winfields are deeply involved in the community, serving in leadership positions in a variety of organizations. Mr. Winfield serves as Manhattan Community Board 6 Executive Committee Vice Chairman and Chairman of the Community Board's Housing, Homeless Services and Human Rights Committee. He also volunteers as a docent at the Museum for African Art.

Ms. Winfield is an active member of the of the Parent Advisory Board at the National Dance Institute. She has been an enthusiastic advocate for the program since her son participated in it as a student at P.S. I24M. She was appointed by Manhattan Borough President Scott Stringer to serve on the Community Advisory Board of Bellevue Hospital Center and assists with fundraising for The Duke Ellington Society, Inc. in Manhattan.

Ms. Winfield had an early introduction to the civil rights movement as a result of her family's activism and community service. Her father was a civil rights leader who served as President of the North Philadelphia Action Branch of the National Association for the Advancement of Colored People (NAACP). In accordance with the family tradition, Mr. and Ms. Winfield have worked with the NAACP Mid-Manhattan Branch, which honored them with the Distinguished Service Award in 1975.

The couple is also very involved in local political organizations, including the Samuel J. Tilden Democratic Club, for which Ms. Winfield serves on the donations committee. In April, they received the Samuel J. Tilden Democratic Club Humanitarian Award for their tireless advocacy and incredible contributions of their time and talents to strengthen the community.

Married in 1974, Mr. and Ms. Winfield are the proud parents of two children, Marie and Michael, and adore their son-in-law Konrad Pust. They are also loving grandparents to their granddaughter, Sophie.

Mr. Speaker, I ask that my colleagues join me in recognizing Claude and Shelley Winfield. This remarkable couple are shining examples of selfless devotion to community service.

CONGRATULATING DR. HILLARD M. LAZARUS

HON. STEVEN C. LaTOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. LATOURETTE. Mr. Speaker, I would like to offer my congratulations to Dr. Hillard M. Lazarus, in his continued pursuit of excellence in care delivery and commitment to medical innovation. During my eighteen year tenure in Congress, I have had the great honor of working with the University Hospitals Systems (UH) in Cleveland, OH, and experiencing firsthand the exceptional commitment to increasing the quality of care they provide to patients not just from Northeast Ohio, but from around the country. I have also had the opportunity to develop a personal relationship with many members of their dedicated team of care providers.

Dr. Hillard Lazarus is one of those extraordinary members of the UH team. Dr. Lazarus has over 30 years of distinguished experience in his field, and has served as the Director of the Blood and Bone Marrow Transplant Program within the Division of Hematology/Oncology at Seidman Cancer Center for the past 25 years. In this time, Dr. Lazarus has gained a reputation as a leading expert in his field and is widely recognized for his contributions in the areas of mesenchymal stem cell transplants and autologus stem cell transplantation. As a pioneer in non-embryonic stem cells and regenerative medicine, Dr. Lazarus performed the first stem cell transplant in the state of Ohio in 1976 at UH Case Medical Center.

Dr. Lazarus has been identified as an Outstanding Physician in many national and local surveys, was inducted into the Cancer Care Hall of Fame and the American Cancer Society, and has received the American Cancer Society Lifetime Achievement Research Award. He has also authored and co-authored over 270 publications in peer-reviewed journals, 46 book chapters and 66 review articles. His record of ground-breaking treatments and breakthroughs has helped make Seidman Cancer Center a leader in the treatment of leukemia and other blood disorders.

Mr. Speaker, I thank you for the opportunity to share some of the highlights of the ongoing work of Dr. Lazarus with the House of Representatives. It is so important to recognize innovators like him, who pave the way for medical breakthroughs that increase the duration and quality of life for millions of Americans. I am proud to offer my congratulations and thanks to Dr. Lazarus for his outstanding achievements and contributions, as well as his service to Northeast Ohio and the United States of America.

IN HONOR OF CLEVELAND CITY COUNCILMAN ZACK REED

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Councilman Zack Reed, who has been representing the residents of the Mt. Pleasant and Kinsman neighborhoods in Ward 2 on Cleveland's City Council since 2000.

Councilman Reed grew up in the Mt. Pleasant neighborhood of Cleveland. He began his career in public service working with local unions to help inner-city youth find jobs with the Civilian Conservation Corps and the Youth Apprenticeship Program.

Throughout his time in office, Councilman Reed has focused on the revitalization of the Mt. Pleasant neighborhood and the safety of its residents. He was an active advocate for the zero tolerance for crime policy, gun buybacks and an increase in support for Cleveland police officers. Reed has also worked closely with community leaders in his neighborhood to revitalize small businesses and create an environment that supports economic development.

Councilman Reed has been a strong advocate of workforce equality for the diverse population of Cleveland and has been an active

member of the National Black Caucus of Local Officials. His work in the community has resulted in the rebuilding of a local elementary school and senior center along with the clean-up and development of the community.

Mr. Speaker and Colleagues, please join me in honoring the achievements of Councilman Zach Reed.

HONORING THE 10TH ANNIVERSARY OF ONE WORLD NOW!

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. McDERMOTT. Mr. Speaker, I rise today to honor the ten-year anniversary of One World Now!, a pioneering, Seattle-based educational program that presents underserved youth with the opportunity to learn world languages and cultures through after-school classes and study abroad programs.

When it was founded, One World Now! was a pilot program run out of a single public school in Seattle with only 12 students enrolled. After ten years of hard-earned success and steadfast dedication to educating underprivileged youth, One World Now! has expanded to 8 Seattle high schools, 2 middle schools, and has also partnered with schools in Los Angeles, New York City, and Honolulu. Over 2000 youth have participated in programs orchestrated by One World Now!, and its consistent growth makes me optimistic that that number will continue to grow.

As we integrate into a more globalized world, it is imperative that youth from all backgrounds receive a worldly education that teaches the importance of tolerance and cultural understanding. Since 2002, One World Now! has endeavored to paint a brighter future for our leaders of the next generation by giving them a strong foundation in international relations.

The success of One World Now! in bringing youths of all cultures together under the common banner of education is admirable and has never been more necessary. As we celebrate the 10th anniversary of this commendable program, I would like to convey my unwavering support for One World Now! and its commitment to youth, culture, and education.

DR. CLEOTHUS MONTGOMERY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor my good friend, Dr. Cleothus Montgomery, D. Min., for his fifty years of service as the pastor of the Northside Missionary Baptist Church in Houston, Texas.

In September 1962, Dr. Montgomery founded the Northside Missionary Baptist Church and has been its leader ever since. In this time, he transformed the church from a gathering of a few people in his living room into a vehicle for community change, with more than 450 members. He is currently working on an ambitious plan to build senior housing and a nursing home, and to cultivate small businesses, in an effort to further the church's work toward improving the community.

Montgomery grew up one of nine siblings on a farm in Henderson, Texas. He met and married Emma Tinch and together they reared five children. He is a grandfather to nine grandchildren and great-grandfather to three great-grandchildren.

Dr. Montgomery has a Bachelor of Science Degree in Engineering Science and a Bachelor of Theology. He is a graduate of Houston Civilian Police Academy and has earned a Master of Ministry, a Doctorate of Ministry, and two Honorary Doctorates: Honorary Doctorate of Divinity and Honorary Doctorate of Sacred Theology.

In addition to leading Northside Missionary Baptist Church, Dr. Montgomery currently serves as the president of the CDC Association of Greater Houston. He has served as Vice President and Chairman of the Board at the College of Biblical Studies, Executive Director of Greater Northside Plaza, President of the Houston Christian Minister's Fellowship Northeast Houston, Chairman of the Board of the World Christian Training Center, and Vice President of the Ministerial Advisory Board to the Mayor of Houston.

The city of Houston is a better place because of Dr. Montgomery. On the 50th Anniversary of Northside Missionary Baptist Church which coincides with Dr. Montgomery's 80th birthday, I rise to thank and honor him for his tireless dedication to his parish and the greater community.

TRIBUTE TO THE UNITED STATES CAPITOL HISTORICAL SOCIETY

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DICKS. Mr. Speaker, I rise today to pay tribute to the United States Capitol Historical Society, which is celebrating 50 years of history and service to the United States Capitol.

Congressman Fred Schwengel, Senator Hubert Humphrey, and a group of 15 other Members of Congress, historians, and civic and business leaders organized the United States Capitol Historical Society on July 17, 1962. Fifty years later, the USCHS continues to fulfill its mission by teaching the public about the founding, growth and significance of the Capitol of the United States as a tangible symbol of its representative form of government.

Convinced that an understanding of history was inextricably linked with responsible citizenship, the founders of the United States Capitol Historical Society adopted a mission statement committing the nonprofit, nonpartisan, educational organization to the role of "history teacher to the nation."

More than 50 years after its founding, the Society continues to develop new and creative ways to bring the fascinating story of the Capitol to the public's attention. Among its tools are educational tours, scholarly symposia, observances of historic events, enhancement and preservation of the Capitol's collection of art and artifacts, sponsorship of research, the sale of publications and mementos of an historical nature, and assistance to Congressional and other Capitol offices.

The partnership of the USCHS with the National Archives and Old Town Trolley in the We the People Constitution program is particularly innovative. The Society has committed to working toward seeing every eighth grade student in the Washington, DC public schools tour "monumental" Washington to learn about the U.S. Constitution. This educational tour's sole purpose is to help students understand their place in American history and their role in the process of government.

Mr. Speaker, I ask my colleagues to join me in honoring a great organization dedicated to preserving the history of the most recognizable symbol of representative government in the world, the United States Capitol.

IN HONOR OF CLEVELAND CITY COUNCILMAN KENNETH L. JOHNSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Councilman Kenneth L. Johnson, who has been serving Ward 4 on the Cleveland City Council since 1980.

Councilman Johnson has served Cleveland with a focus on enriching Cleveland youth through recreational and academic programs. He is responsible for starting free overnight summer and winter camping trips where youth from the city have the opportunity to experience different environments. Johnson has always been an outspoken believer in quality recreational activities for young people to help them learn important lifelong leadership and social skills.

Along with working for the Cleveland youth, Councilman Johnson has supported bringing new jobs to Cleveland through development and investment in the community. He has strived to give those seeking work new opportunities by starting computer training programs across the city. He also began a volunteer street cleaning, tree cutting, and overall beautification program for senior citizens and disabled residents in his ward.

Councilman Johnson has been the only Council Member in Cleveland history to have a building named after him while still holding office. The Kenneth L. Johnson Recreation Center was dedicated in October 2001 and has established an area for young people to gather and develop in a healthy environment.

Mr. Speaker and colleagues, please join me in honoring the hard work and dedication Councilman Kenneth L. Johnson has shown serving the Cleveland community.

ON THE RETIREMENT OF GARY BOGUE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. GEORGE MILLER of California. I rise with my colleagues Congressman JERRY MCNERNEY and Congressman JOHN GARAMENDI to take this opportunity to recognize and congratulate Contra Costa Times pet and wildlife columnist Gary Bogue as he retires after 42 years of public service.

Gary began his long career as a columnist in 1970 while still working at the Lindsey Wildlife Museum. During his thirteen year tenure as curator of the museum, he established one of the Nation's first wildlife rescue programs, tending to injured wildlife and raising a wide variety of orphaned animals. In 1982, Gary signed on as a full-time writer with the Contra Costa Times, using the skills and knowledge he gained as a curator to share his expertise on wildlife and domestic animals with the public in his own daily column.

As a prominent voice for preserving and protecting the environment in our region, Gary has left a lasting impact on our community. In 1990, when Oakland Athletics manager and animal-lover Tony La Russa realized that there was not a single ''no-kill'' shelter for animals in the area, he called on Gary for help. Together they cemented the idea that a nonprofit shelter was urgently needed. A year later La Russa launched his Animal Rescue Foundation (ARF), which has helped countless homeless and unwanted pets to find permanent homes. Through his column, Gary has also spread awareness about the importance of preserving our natural land and has been a valued partner with such organizations as Save Mount Diablo and the Muir Heritage Land Trust in advocating the preservation of open space in the East Bay.

Over the years, Gary's work has been widely recognized throughout the Bay Area as his writing was picked up by the Oakland Tribune, San Mateo County Times, and the San Jose Mercury News. He has also written five books that have connected with environmentalists and wildlife advocates worldwide.

Mr. Speaker, I invite my colleagues to join me in commending Gary Bogue for his committed and diligent service to the community, our natural environment and the wildlife whose space we share on this planet. I am pleased to join his family, friends, and colleagues in congratulating Gary on an outstanding career and wish him the very best as he begins a well-deserved retirement.

TAIWAN NATIONAL DAY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor Taiwan on its 101st National Day, which will occur on October 10th, 2012. As a member of the Taiwan Caucus, I recognize the importance of continuing to cultivate a strong relationship between the United States and Taiwan.

The United States and Taiwan share a strong commitment to freedom. As a beacon of democracy for Southeast Asia and the rest of the world, Taiwan and its 23 million people enjoy self-governance, free elections, and the protection of individual rights. The policies pursued by President Ma Ying-jeou have made Taiwan a strong ally to the United States in these turbulent times.

Taiwan also is a strong business partner for the United States. It is our tenth largest trading partner and the sixth largest market for United States agriculture exports. Georgia and Taiwan also have strong business ties. Taiwan is Georgia's thirteenth largest export market, grossing $68 million in profit for Georgia last year alone. Taiwan imports chemicals, automobiles, and, of course, Coca-Colas. Taiwan is also a leading innovator and producer of information technology and knowledge-based industries.

The United States has supported Taiwan's transformation to a vibrant democracy. It should be congratulated for its 101 years of freedom and prosperity. It continues to be a model of democracy for Southeast Asia and countries all over the globe.

Mr. Speaker, I urge my colleagues to join me today in congratulating Taiwan on its 101st National Day. I am confident that the friendship and close relationship that has been cultivated by the United States and Taiwan will continue for many years to come.

A TRIBUTE TO C. KEVIN GILLESPIE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor C. Kevin Gillespie. Father Gillespie will be inaugurated as the 27th president of Saint Joseph's University on Friday, October 12, 2012.

A native of West Philadelphia, Father Gillespie attended St. Margaret's Grade School in Narberth, Monsignor Bonner High School in Drexel Hill, and then Saint Joseph's College in Philadelphia. After earning his bachelor's degree in psychology in 1972, Father Gillespie went on to earn master's degrees in psychology from Duquesne University and in divinity from the Jesuit School of Theology Berkeley. He holds a Ph.D. in pastoral psychology from Boston University.

Father Gillespie entered the Society of Jesus in 1975 and later served at Loyola College in Maryland where he became the first director of the master's program in Spiritual and Pastoral Care. There he also founded LOGOS, Loyola Overseas Gestures of Solidarity.

Most recently, Father Gillespie was the associate provost for University Centers of Excellence at Loyola University Chicago where he lead five academic centers and in 2011, simultaneously served as interim dean of the School of Social Work.

Father Gillespie credits his St. Joseph's education for preparing him to meet the critical issues he faces every day. He has served on the Board of Saint Joseph's since 2006.

Mr. Speaker, I encourage my colleagues to join me in honoring C. Kevin Gillespie for his years of service and congratulate him on his new journey as president of Saint Joseph's University.

IN HONOR OF OHIO SENATOR MICHAEL J. SKINDELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Senator Michael J. Skindell of Ohio's 23rd Senate District.

Senator Skindell graduated cum laude with a B.A. in business and political science from Walsh College before earning his law degree from Cleveland-Marshall College of Law. Upon graduation, he served under Attorney General Anthony J. Celebrezze as an Assistant Attorney General. After providing legal representation to the Director of Health, serving as a hearing officer for the Ohio department of Health, and beginning his own practice, Senator Skindell turned to public service, becoming a councilman for Lakewood from 1998 to 2002. He was then elected to the Ohio House of Representatives for Ohio's 13th House district where he served four terms until being elected to the Ohio Senate.

Throughout his career, the Senator has been known to advocate for protections for the consumer, more affordable prescription drug coverage, protecting the environment, providing opportunities for working class and poor families, universal health care and developing Ohio's renewable energy resources. Currently, he serves on the Lakewood Chamber of Commerce, Lakewood Democratic Club, and Cuyahoga Democratic Party.

Senator Skindell has been recognized as Environmental Legislator of the Year in 2004, Legislative Champion of Children by the American Academy of Pediatrics and Voices for Ohio Children, and the Legislator of the Year Award from the Ohio Academy of Trial Lawyers in 2007.

Mr. Speaker and colleagues, please join me in honoring the achievements of Senator Michael J. Skindell.

IN HONOR OF THE RETIREMENT OF DR. MARCIA GOLDSTONE

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CARSON of Indiana. Mr. Speaker, today I rise to express my gratitude to Dr. Marcia Goldstone for her considerable achievements over the past 35-years with the Jewish Community Relations Council. Her vision, leadership and tireless devotion to promoting social justice and interfaith dialogue has strengthened and enriched the 71h District of Indiana in countless ways.

As the long-serving Executive Director of the JCRC, Dr. Goldstone created and led dozens of issue-based coalitions made up of exemplary business and religious leaders, educators, and philanthropists to foster a welcoming and secure environment for our growing Jewish community. I applaud the JCRC for its embrace of the ancient tradition of tzedakah, the Hebrew word for charity, by assisting Jewish families who have fallen on hard times, assisting Soviet Jewry to integrate into American society, and promoting a deeper understanding amongst peoples of faith throughout Central Indiana.

Dr. Goldstone's influence and passion for fighting injustice and promoting tolerance extends beyond Central Indiana. Her persistent efforts as part of a broad coalition of religious and secular organizations encouraged the Reagan Administration and Congressional leaders to call for the end of Apartheid in South Africa and release of Nelson Mandela. These efforts have earned her numerous

awards and accolades, including the prestigious Sagamore of the Wabash.

Today, I ask my colleagues to join me in congratulating Dr. Marcia Goldstone for her outstanding service to the City of Indianapolis. Her retirement from the JCRC closes a chapter on an impressive career. She has been an extraordinary friend and adviser both to me and to my grandmother, the late Congresswoman Julia Carson. I wish her the very best and look forward to working with the JCRC of Indianapolis for many years to come.

CELEBRATING 100 YEARS OF COOPERATIVE EDUCATION AT THE ROCHESTER INSTITUTE OF TECHNOLOGY

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. SLAUGHTER. Mr. Speaker, It is my esteemed honor to celebrate the Rochester Institute of Technology's 100th year of Cooperative Education. I am joined by the Honorable KATHY HOCHUL and the Honorable TOM REED as we congratulate the Rochester Institute of Technology (RIT). RIT is home to our nation's fourth oldest established Cooperative Education Program. Cooperative Education provides students with the opportunity to enrich their traditional higher education experience by alternating periods of full-time study with periods of full-time, for credit, paid employment appropriate to their educational and career goals. It is a true testament to the progressiveness of Rochester region to be home to this longstanding educational program.

Established in 1912, RIT's Cooperative Education has grown to be nationally recognized as one of the nation's top programs by U.S. News and World Report and the Office of Cooperative Education and Career Services. RIT offers one of the largest programs in the world with more than 3,800 students completing nearly 5,800 quarterly work assignments with more than 2,000 employer partners throughout the U.S. and in 40 other countries around the world each year.

In the Cooperative Education program, RIT encourages students to explore their interests through hands-on experience while they are still working towards their degree. By providing students with the opportunity to experience their field of interest outside the classroom, RIT's graduates are better equipped to enter full-time jobs and thrive.

Cooperative Education is a required component in several of RIT's colleges including the Kate Gleason College of Engineering, the Golisano College of Computing and Information Sciences, The Saunders College of Business, and the College of Applied Science and Technology.

Through Cooperative Education programs, our universities ensure that American students are trained in best practices and have in-depth knowledge of the cutting edge technologies of today's global world. RIT's program and others like it are crucial to ensuring that the next generation of American professionals can compete and win in a globalized world.

Through the support of RIT faculty and administration, countless students have expanded their knowledge and skills in the Cooperative Education program. They've been exposed to unique experiences and unparalleled knowledge that has prepared them for successful careers. For one hundred years, RIT has dedicated itself to providing these unique learning opportunities, and helped to prepare America's next generation for years of success to come.

Today I stand with Representatives HOCHUL and REED to congratulate the Rochester Institute of Technology on its 100th anniversary of enriching countless students through Cooperative Education. I ask my colleagues to join me in celebration of this momentous occasion.

HONORING THE FRANCO AMERICAN WAR VETERANS

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the Franco American War Veterans (FAWV) on their 80th Anniversary, and Post 31 of Lewiston, Maine on their 25th Anniversary.

In early 1932, veterans of World War I began meeting in Massachusetts to establish a veteran's organization for veterans of French decent. They gathered signatures and were granted a charter by the Commonwealth of Massachusetts. In the succeeding years, posts were formed around Massachusetts, and quickly expanded to Rhode Island, Connecticut, New Hampshire, and Maine.

This year, Post 31 of Lewiston, Maine celebrates its 25th Anniversary. Post 31 is an integral part of the Lewiston/Auburn community. Members of the Post have served as national officers in FAWV, and as leaders in the community. Among their many accomplishments, members of Post 31, through their work on the L/A Veterans' Council, helped establish and maintain the Veterans' Park in Lewiston and helped convince the Department of Veterans' Affairs to locate its new community based outpatient clinic in Lewiston. In addition, the Post 31 Color Guard participates in many ceremonies each year, and their presence helps enhance the ceremony.

Mr. Speaker, please join me in congratulating the Franco American War Veterans on their 80th Anniversary and Post 31 of Lewiston, Maine, on their 25th Anniversary.

IN RECOGNITION OF ECOWATCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of EcoWatch, a non-profit organization that focuses exclusively on news from the grassroots environmentalist movement.

Founded in 2006 by Stefanie Penn Spear, EcoWatch is a Cleveland-based non-profit organization dedicated to uniting the voice of the grassroots environmental movement on their website, EcoWatch.org. The EcoWatch website is a dedicated and neutral platform for nearly 1,000 grassroots environmental organizations that helps transform the ability of individuals to learn about environmental issues and take action. This news service provides timely access to relevant information that motivates individuals to become engaged in their community, adopt sustainable practices and support strong environmental policy.

In addition to the website, EcoWatch's Next Generation program encourages students to be good stewards of the planet by providing free copies of the EcoWatch Journal to teachers of grades 6–12.

On Friday, September 14, 2012, EcoWatch will be celebrating its Fourth Annual Green Gala at Cleveland, Ohio's Rock n' Roll Hall of Fame and Museum. The event will feature the Blue Sky Riders, which is comprised of musicians Kenny Loggins, Georgia Middleman and Gary Burr.

Mr. Speaker and colleagues, please join me in recognizing EcoWatch, a group dedicated to uniting and giving a voice to grassroots environmentalists.

RECOGNIZING THE ACHIEVEMENTS OF REVEREND DOCTOR WALLACE S. HARTSFIELD, SR.

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Reverend Doctor Wallace S. Hartsfield, Sr. a minister, dedicated community activist, veteran, civil servant, compassionate role model, and a member of the Fifth District of Missouri, which I am deeply honored to represent. Doctor Hartsfield was born in Atlanta, GA and at an early age the family moved to Jacksonville, FL, where he received his element. and secondary education, graduating from Stanton High School.

After a three-year tour of duty in the United States Armed Services, he entered Clark College in Atlanta, GA and graduated with a Bachelor of Arts Degree in Elementary Education with minors in Religion and Psychology. He was listed in Who's Who in American Colleges and Universities in his Junior and Senior Years. In September 1954 he entered Gammon Theological Seminary from which he graduated with Degrees of Bachelor and Masters of Divinity.

Dr. Hartsfield has held pastorates in Pickens, SC; Brunswick, GA Bartow, FL; Kansas City, MO; and Wichita, KS. Upon the request of Metropolitan Missionary Baptist Church of Kansas City, MO, Dr. Hartsfield returned to assume the pastorate for the second time in 1972 and served until December of 2007 as Senior Pastor, He retired having served 41 years as Pastor of Metropolitan Missionary Baptist Church. Doctor Hartsfield now holds the title of Pastor Emeritus, and his son, Wallace II, was appointed Senior Pastor.

This week, Dr. Hartsfield is to be inducted into the Missouri Walk of Fame during a reception as part of the Congressional Black Caucus Foundation's Annual Legislative Conference, an event held to honor the achievements of African-Americans who have made significant contributions to Missouri and the nation. Because of his sage understanding of the ills and gifts of the people in the urban core, he is frequently called the ''Godfather'' of the African-Ameitan community.

He is the Vice President-at-Large of the National Baptist Convention of America, Inc., Past President of the General Baptist State Convention of MO/KS/NE; Past Chairman of the Congress of National Black Churches and current Board Member of the Congress of National Black Churches. He has served as a Commissioner of Highway and Transportation for the State of Missouri and to the Municipal Judicial Commission for Jackson County. He also serves as an Executive Board member of the Jazz District Redevelopment Corporation.

Dr. Hartsfield is highly sought after by national, state, and local public servants as an advisor because of the fellowship he has among black leaders and clergy. He also is in much demand as a guest speaker in many areas nationally. He has served as adjunct Professor and guest lecturer at numerous colleges and universities across the nation. Dr. Hartsfield has served and currently serves on several Boards of Directors for various colleges and organizations. He is the recipient of numerous honors and awards. In January 2008, I was proud to introduce a bill in Congress to rename the Parkway Post Office in my Kansas City district to the Wallace S. Hartsfield, Sr. Post Office.

He is married to the former Matilda Hopkins of Brunswick, GA. He and Mrs. Hartsfield are the parents of four children, Pamela Faith, Danise Hope, Ruby Love, and Wallace S. Hartsfield, II. They are the proud grandparents of seven and great-grand parents of five.

For those reasons and more, it is indeed an honor and privilege to welcome and congratulate Rev. Dr. Wallace Hartsfield, Sr. on his induction into the 2012 Missouri Walk of Fame.

Mr. Speaker, please join me in expressing our appreciation to Reverend Doctor Wallace Hartsfield, Sr. and his endless commitment to serving the residents of the State of Missouri and the Greater Kansas City Metropolitan Area. He is a true role model, not just to the African-American community in Missouri, but to the entire community and the nation. May his success serve as a stepping stone for many other African-Americans eager to be just as successful in their endeavors. While it is but a small acknowledgement for all of the work he has done, it is a heartfelt gesture, taking strength from the many lives he has touched in our hometown.

HONORING HERBERT HOROWITZ

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BUCHANAN. Mr. Speaker, I rise to honor, Mr. Herbert Horowitz of Sarasota, FL. Herb was born in Brooklyn, New York; his family moved to Fall River, Massachusetts. Herb entered the Army in 1941 and was honorable discharged in 1945. He is a World War II veteran who served in the European theater. After serving his country, Herb returned home and began a civilian life. Upon his discharge, he went into the manufacturing of Men's Clothing.

Married now for seventy years to his wife, Isbelle, they raised three children (David, Robert & Debra). They talk proudly of their grandchildren and great-grandchildren. Herb was active in various local religious and community organizations. Retiring to Sarasota with his wife Isbelle in 1984, Herb has been active in his synagogue, Temple Sinai, and is now a respected elder member.

Herb still works out at the Sarasota Family YMCA, Evalyn Sadlier Jones Branch. Executive Director, Ben Pinegar, has said "Herb continues to be an inspiration to our senior members with his cheerful and positive outlook. His conscientious workout routine and his helpful attitude to other members is to be admired. He is also considered to be a mentor to some of our younger Y members. Herb helps to make our Y a family."

Herb will be ninety-five years young on November 17, 2012. I congratulate him and wish him many more happy birthdays. With Veteran's Day approaching, I thank all of our veterans, of which Herb is an example. I thank our veterans for not only their service to our country, but also for what they have contributed to their communities.

TRIBUTE TO LIEUTENANT GENERAL PATRICK J. O'REILLY

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BROOKS. Mr. Speaker, I would like to pay tribute to Lieutenant General Patrick J. O'Reilly, United States Army and Director of the Missile Defense Agency.

Lieutenant General O'Reilly will be retiring from the United States Army after 38 years of honorable and faithful service to the United States of America: four years as a cadet at West Point, and for 34 years as a Commissioned Officer. His service to this great nation spans nearly four decades that witnessed dramatic changes to the strategic national security landscape, organizational structure of the United States Army, and military services.

From humble beginnings growing up in Richland, Texas, to working long hot summers as a teenager on his mother's family farm in Davey, Nebraska, General O'Reilly recognized and believed that service to country was not only an obligation, but a calling. He entered West Point in 1974, at a time when many Americans shunned military service and military values as the United States exited the Vietnam War.

He started his commissioned Army career as a Maintenance Officer; he later served as an Ordnance Officer and a Physics Instructor at West Point. He then transitioned to the Army Acquisition Corps where his contributions and leadership have strengthened the security of the United States, our friends, allies, and international partners. Like all distinguished military careers, General O'Reilly has served in many assignments, including joint assignments that culminated with his service as the Director of the Missile Defense Agency.

General O'Reilly helped make missile defense a reality. He served as the Project Manager for the Directed Energy Directorate and as Program Manager for the Theater High Altitude Area Defense Missile Project of the Strategic Defense Initiative Organization, which later became the Ballistic Missile Defense Organization. He also served as the Product Manager for the Patriot Advanced Capability 3 Program. His outstanding work as an acquisition specialist and his engineering expertise earned him a career assignment as the Executive Officer to the Military Deputy to the Assistant Secretary of the Army for Acquisition, Logistics and Technology.

The Army, the Joint Staff, and the nation recognized his talent and expertise and appointed him to be the Program Manager for the Theater High Altitude Area Defense system in 1999. The Army later assigned him to be the Program Executive Officer for the Combat Support/Combat Service Support Program to provide Up-Armored vehicles to combat troops in Iraq and Afghanistan.

He returned to the Missile Defense Agency in 2005 and served as the Program Manager for the Ground-based Midcourse Defense system (GMD). In this role, General O'Reilly oversaw the development and acquisition of one of the most important weapon systems in the history of the United States, one designed to defend the homeland against long-range ballistic missile attacks. General O'Reilly was instrumental in successfully advancing the program following a challenging period. During his tenure as Program Manager, the Missile Defense Agency conducted the first successful flight test of the operationally configured Ground-Based Interceptor, and executed the first successful intercept flight test of the GMD system.

General O'Reilly's work as the GMD Program manager directly contributed to the fielding of the nation's first limited defense capability, the operational Ground-based Midcourse Defense System that was part of the initial Ballistic Missile Defense System (BMDS). This was the first ever deployed system to protect the United States homeland against a limited ICBM attack. His achievements and technical missile defense knowledge were well recognized by civilian and military leadership, and as a result, he was assigned in January 2007 to be the Missile Defense Agency's Deputy Director. Just a little over a year later, following his elevation to Deputy Director, the Department of Defense hand-picked General O'Reilly to be promoted to Lieutenant General. He was then nominated by the President of the United States and confirmed by the United States Senate to become the Director of the Missile Defense Agency.

As the Director of the Missile Defense Agency, General O'Reilly successfully applied his insightful and decisive leadership to a series of national and international challenges as the Agency developed, tested, fielded, and expanded the BMDS to protect the United States, its deployed forces, and allies and friends against the growing and diverse threat posed by ballistic missiles.

As Director, he completed the construction of an additional missile field in Alaska for the GMD infrastructure to ensure a more robust defense of the homeland. As part of this plan, he made a commitment to Congress and the American people to field and deploy 30 Ground Base Interceptors by the end of 2010, and he fulfilled this important milestone in September 2010. He also initiated a Ground Based Interceptor fleet refurbishment and reliability enhancement program that resulted in upgrades and improvements to 10 Ground Based missiles deployed at Fort Greely, Alaska. Moreover, under his direction, the Missile Defense Agency completed the upgrades and integration of the Thule Early Warning Radar in Greenland, and the Clear Early Warning Radar in Alaska.

In January 2009, strategic direction on how the nation would deploy missile defenses in Europe directed a renewed focus on the ballistic missile threat from the Middle East to our NATO European allies. General O'Reilly was called upon to work with the Office of the Secretary of Defense (OSD), and the Department of State to develop and implement a four phased plan for the deployment of the European Phased Adaptive Approach (EPAA).

His work resulted in a unique solution to phase and convert shipped-based SM–3 missiles for land-based use. In December 2011, General O'Reilly and the Missile Defense Agency achieved a historical milestone by issuing a technical declaration for EPAA Phase 1 in December 2011. As a result, the United States has now successfully deployed a command and control battle management system in Germany and a forward-based radar in Turkey, and has assigned an Aegis Ballistic Missile Defense (BMD) ship to patrol the Eastern Mediterranean Sea.

During his tenure, his organization further completed BMD installations on 11 Aegis warships, including the upgrade of three ships from 3.6 to 4.0.1, giving them a ballistic missile defense capability utilizing the most capable interceptors available. During this time the Aegis BMD program delivered 66 SM–3 IA interceptors and four SM–3 IBs for flight testing. At the tactical level, he oversaw the delivery of the United States Artny's first two operational THAAD batteries, initiated production of two additional THAAD batteries, and managed the delivery of 51 THAAD interceptors to meet the needs of our Combatant Commanders and the needs of our allies.

General O'Reilly's missile defense vision extended far beyond the current set of fielded and planned capabilities. During his tenure, the nation witnessed the Airborne Laser Test Bed (ALTB) demonstrate revolutionary technology by achieving two historic shoot-downs of two short-range ballistic missile targets using directed energy technology. He also advocated and began program implementation to provide Precision Tracking Space System satellites to one day provide persistent overhead coverage from space as well as birth to death tracking of enemy ballistic missiles.

Mr. Speaker, these are but a few of the many accomplishments in General O'Reilly's storied and distinguished career. As I reviewed his experiences and contributions, I am reminded that his career has made national security history, and that he has also provided a vision for future generations of military officers.

I also believe all distinguished careers are helped, aided, and encouraged by friends and family. As a nation we also owe a debt of gratitude to General O'Reilly's wife, Judith, and his two daughters, Siobhan and Brighid. General O'Reilly and family, thank you for your service to God and Country. General O'Reilly, you have held true to your West Point Class of 1978 motto—"Proud and Great '78."

IN REMEMBRANCE OF JAMES M. NAUGHTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor the life of newsman James M. Naughton who died at the age of 73 from complications of prostate cancer. He is survived by his wife Diana, three daughters, one son, and four grandchildren.

Mr. Naughton was born in Painesville, Ohio and earned his college degree from the University of Notre Dame while working summers at the local newspaper, The Painesville Telegraph. Upon his graduation in 1960, he served as a lieutenant in the Marine Corps for two years. In 1962, Naughton found himself back in Ohio writing about politics and urban affairs for the Cleveland Plain Dealer—a job he held for seven years.

From 1969 to 1977, Mr. Naughton worked at the New York Times as a White House and national correspondent covering the Nixon, Ford and Carter eras. During his tenure on the Times, he covered such stories as when Senator Muskie emotionally responded to a New Hampshire newspaper's attack aimed at his wife, former Vice President Agnew's admission of tax evasion in order to avoid bribery charges, and the Congressional impeachment hearings that arose out of the Nixon Watergate scandal. He later served as executive editor of The Philadelphia Inquirer during the time they earned 18 Pulitzers in 17 years, and from 1996 to 2003, Naughton served as the President of the Poynter Institute for Media Studies in St. Petersburg, FL where he eventually retired.

Jim Naughton was a "prank loving" reporter with a witty spirit. He was known for showing up to a presidential news conference wearing the head of a chicken costume, and often placed a wide variety of animals in his colleagues' offices; he always believed such a mischievous spirit provided for an atmosphere of creativity and cohesion.

Mr. Speaker and colleagues, please join me in honoring the life and achievements of James M. Naughton.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office; the national debt was $ 10,626,877,048,913.08.

Today, it is $ 16,020,975,194,914.83. We've added $5,394,098,146,001.80 dollars to our debt in 3½ years. This is $5.3 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. BROUN of Georgia. Mr. Speaker, on rollcall No. 579 had I been present, I would have voted "no."

IN RECOGNITION OF THE RETIREMENT OF SERGEANT FIRST CLASS KITO KAJUAN WILKINS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Sergeant First Class Kito Kajuan Wilkins, who will be retiring from the US Army's 3rd Infantry Division, 3rd Combat Aviation Brigade.

Originally from Anniston, Alabama, Wilkins entered the Army in 1992. Upon graduation from boot camp, he became a Bradley Vehicle Driver at Fort Benning, Georgia. Soon after, he became a Squad Leader and Platoon Sergeant in Illesheim, Germany. From 1999–2002, he was stationed in Fort Hood, where he served as a Technical Inspector. After serving as a recruiter in San Antonio, Wilkins was deployed to Iraq to support Operation Iraqi Freedom. After his deployment to Iraq, Wilkins served in Fort Eustis, Virginia as an Instructor. From 2008–2010, he was stationed at Fort Wainwright, Alaska, as a Platoon Sergeant and Section Chief. Currently, his duty location is Hunter Army Airfield in Savannah, Georgia. While stationed there he has deployed to Pakistan, where he took part in the Pakistani Humanitarian Mission Flood Relief, and Afghanistan, where he served his final deployment.

Because of his dedication to our country, SFC Wilkins has received countless awards. These include: 7 Army Accommodation Medals, five Army Achievement Medals, six Army Good Conduct Medals, two National Defense Service Medals, one Global War on Terror Expeditionary Medal, one Global War on Terror Service Medal, one Silver Recruiter Badge and one Basic Marksmanship Qualification Badge.

In addition to his dutiful service to our country, SFC Wilkins is a tireless volunteer. He has logged over 1,500 volunteer community service hours teaching youth football, basketball and soccer. Because of his volunteer efforts, Wilkins has received two Humanitarian Service Medals, a Military Outstanding Volunteer Service Medal, an Army Service Ribbon and two Overseas Service Ribbons.

Mr. Speaker, I offer my sincerest gratitude to SFC Wilkins, a true American hero, for his service to our nation.

IN RECOGNITION OF THE 89TH ANNUAL FEAST OF ST. WENCESLAUS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Czech Catholics of Greater Cleveland on the occasion of their 89th Annual Feast of St. Wenceslaus on September 29, 2012 at St. John Nepomucene Parish.

St. Wenceslaus is the patron saint of the Czech Republic. Every year, his feast day, September 28th, is celebrated by Czech communities around the world. St. Wenceslaus was the leader of Old Bohemia during the

early part of the 10th Century. During his tenure as king, St. Wenceslaus took a vow of chastity and was devoted to his Christian faith. Killed by his brother, St. Wenceslaus was later canonized as a martyr of the Christian faith.

St. John Nepomucene is one of only two Czech congregations left in the Cleveland Catholic Diocese, along with Our Lady of Lourdes Parish.

The Czech Catholics of Greater Cleveland will gather together on September 29th for mass featuring the Most Reverend Bishop Roger W. Gries and will be followed by a celebration dinner and performance by the Hronek Czech Band.

Mr. Speaker and colleagues, please join me in recognition of the Czech Catholics of Greater Cleveland on the occasion of their 89th Annual Feast of St. Wenceslaus. I offer my best wishes to the Czech Catholics of Greater Cleveland and all those who attend this joyous celebration.

IN RECOGNITION OF THE 10TH ANNIVERSARY OF MILESTONES AUTISM ORGANIZATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 10th anniversary of Milestones Autism Organization, a non-profit organization dedicated to improving the quality of life for individuals on the autism spectrum and their families.

Founded in 2003 by parents to promote lifelong strategies for success for individuals with autism, Milestones Autism Organization has assisted more than 4,000 individuals throughout the past decade. Milestones trains parents and professionals using research-based techniques in order to improve the level of educational and therapeutic programming available for individuals with autism. Milestones offers parent workshops and training, professional development programs, school team training, consultation services, hosts an annual Autism/Asperger's conference, and has launched a professional network, the Milestones Consortium for Autism Professionals.

As Milestones Autism Organization celebrates its 10th anniversary this year, a special tribute will be given to its founding board members, Chantal Akerib, Bart Bookatz, Carol Lader and Sally H. Wertheim.

Mr. Speaker and colleagues, please join me in recognizing a decade of training and support provided by the Milestones Autism Organization.

A TRIBUTE TO THE REVEREND DOCTOR DARAN HERNANDEZ MITCHELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and honor the Reverend Doctor Daran H. Mitchell, a man dedicated to serving God, his family, and the community. Dr. Mitchell is the pastor of the First African Methodist Episcopal Zion Church in the Bedford-Stuyvesant section of Brooklyn, which I represent.

Dr. Mitchell earned a Bachelor of Arts degree in Religion/Philosophy-Liberal Studies from Bethune-Cookman College, a Master of Divinity degree from Hood Theological Seminary, and the Doctor of Ministry from the Samuel DeWitt Proctor School of Theology, Virginia Union University.

Since his appointment to the First A.M.E. Zion Church pulpit in October 2004, Dr. Mitchell has established a ministry to men, a ministry to women, a liturgical dance ministry, a media ministry, completed over $850,000 in capital improvements, restored the Historic Clock on its edifice, and is actively creating partnerships with churches and community leaders in the Borough of Brooklyn.

An active member of the community, Dr. Mitchell presently serves as chairman of the Board of Conference Studies for the New York Annual Conference; member of the Board of Trustees of the New York Annual Conference; member, Board of Directors, Harriet Tubman Home; chairman of the Budget Committee, New York Annual Conference; chairman of the Finance Committee for the New York City District, and a member of the Brotherhood Pension Board for the A.M.E. Zion Church.

Dr. Mitchell is married to the Reverend Lorraine Lynn Kennedy-Mitchell and they are the proud parents of a 16 year-old son, Caylen.

A gifted preacher, teacher, motivational speaker, builder, and community activist, Dr. Mitchell has sought to raise the spiritual climate and social consciousness of not only the congregation, but the community in general by becoming active in every aspect of community life. The community of Greensboro, North Carolina is gaining an extraordinary figure that will be greatly missed in Brooklyn.

Mr. Speaker, I would like to recognize the Reverend Dr. Daran H. Mitchell for his tremendous contributions to his congregants and the community.

Mr. Speaker, I urge my colleagues to join me in paying tribute to the Reverend Dr. Daran H. Mitchell.

HONORING 53 YEARS OF EXEMPLARY SERVICE BY THE FEDERATION OF ASIA-PACIFIC WOMEN'S ASSOCIATION

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to honor the Federation of Asia-Pacific Women's Association (FAWA) for more than 50 years of exemplary service to our community. FAWA has strived to develop mutual cooperation and friendship through the advocacy of cultural ties among Asian and Pacific Islander women in our region since its origins with the General Federation of Women's Clubs and its founding in the Philippines in 1959.

FAWA seeks to improve the lives of members and their communities. Their motto, ''Asian Women United for Service'' describes their efforts to effect major changes in the status of women in Asia and to work towards a better life for the Asia-Pacific region. FAWA accomplishes this objective through promoting closer relations and joint efforts among Asians, particularly women, by fostering a mutual appreciation of cultural, moral and socioeconomic values.

As an honorary president of FAWA, I am proud and excited to host this year's convention on Guam. This year's theme, ''Empowering Asia-Pacific Women Through Knowledge and Opportunities,'' is fitting, as this convention brings together women leaders from across the Asia-Pacific region to share experiences and promote the continued growth and preservation of women's roles in the Asia-Pacific region. The conference will address issues affecting women in the modern world, including women and sustainability, women's health issues, and women and education. These sessions offer valuable networking opportunities for participants, and I encourage all attendees to take advantage of this unique group of leaders; to make valuable connections with other empowered women in our community.

I recognize the founders, Minerva G. Laudico and Geronima T. Pecson; this organization has carried on their vision and passion across generations and national boundaries. I am confident that their legacy of service will endure. I commend my fellow Honorary President Cecilia Y. Koo, Honorary Advisor Nancy C. Nee, FAWA President Kristal Koga, FAWA 1st Vice President Charlene Yang, FAWA 2nd Vice President Mei Woo, FAWA 3rd Vice President Jung Sook Kim, Convention Chair Sylvia Crafton, Convention Co-Chairs Nancy Tan and Denise Mendiola-Hertslet, and members of the FAWA Board of Executives and all the organizing members for their efforts in ensuring that this year's conference, like past events, will be a success. I congratulate the Federation of Asia-Pacific Women's Association for their dedication and contributions, and I look forward to the continued growth of this organization for many more years to come.

THE AFFIRMING RELIGIOUS HERITAGE AND FREEDOM IN THE UNITED STATES ACT

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. FINCHER. Mr. Speaker, I rise today to introduce the Affirming Religious Heritage and Freedom in the United States Act. This legislation is a simple statement recognizing the importance of religion in the lives of our nation's citizens, the strong role of Judeo-Christian heritage in the development of our nation, and the freedom for all to exercise their religious beliefs in our nation.

Our nation's history is storied with references to religious beliefs and symbols that mark their importance in the development of our nation. Those religious beliefs often inspired our nation's founding fathers, as well as presidents and lawmakers throughout our history, to stand firm in their conviction that this should be a nation of freedom, including freedom of religion.

Recently, we've heard more and more negative news stories about religion in our nation. I ask, what is wrong with faith and exercising

your religious beliefs? When did religion become such a bad thing that people want to delete it from our nation's history? I am discouraged when I see anti-religion groups forming throughout the nation, working hard to remove any mention or symbol of God or religion in our public spaces and resources. These groups claim their work is about the separation of church and state, but the government is not forcing anyone into religion or to pay tithes to any particular religious establishment. Religion, specifically the Judeo-Christian religion, is just simply part of our heritage, and the Constitution says this is a nation with freedom of religion, not freedom from religion.

I introduced this resolution because we are a nation of people with the right to freely exercise our religion and many in our nation are religious. A 2007 PEW survey shows that 92 percent of Americans believe in God. I also introduced this resolution because I believe the religious beliefs of Americans inspire them to do good for others, not harm. For instance, in 2010, $298.42 billion of charitable contributions were made in the United States and 32 percent, or $95.88 billion, went to religious organizations according to the National Park Service. From September 2010 to September 2011, 64.3 million people in the United States volunteered and 33.2 percent did so for religious organizations, the highest percentage of all volunteer categories according to the Bureau of Labor Statistics.

The freedom to exercise religious beliefs is vital to our nation's citizens and an important part of our heritage. That's why I am honored to introduce the Affirming Religious Heritage and Freedom in the United States Act.

TRIBUTE TO DAVID A. LINN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to recognize and thank Mr. David A. Linn for the time and energy he has dedicated to the Military Academy Nomination process by serving the constituents of the 19th Congressional District as a member of our Academy Selection Board.

David A. Linn was born in Pittsburgh, Pennsylvania on August 8, 1948. In June of 1970, Mr. Linn was commissioned an Ensign in the United States Naval Reserve through Purdue Universities' NROTC Program. Mr. Linn served his country honorably in Vietnam aboard the USS *Virgo* ammunition ship. Later, while still on active duty, Mr. Linn was trained and certified as a terrier missile systems officer by the Department of Defense. He then served aboard the USS *Dahlgren*, a guided missile frigate, and the USS *Dale* of the standing NATO forces in the Atlantic.

After leaving active duty in 1973, Mr. Linn continued to serve as part of the Naval Reserve. During his reserve years, he served on numerous ships, participated in exercises at the Naval War College in Newport Rhode Island, and served on the staff of Commander and Chief of the Pacific Fleet in Pearl Harbor, Hawaii. He retired with the rank of Commander.

As a civilian, Mr. Linn married Betty Linn, Publisher of the Sierra Star Newspaper. He received a Bachelor of Science Degree from Purdue University, a Master's Degree in Business Administration from California State University, Dominguez Hills, and a Juris Doctorate from Pepperdine University.

Mr. Linn has practiced law for the past thirty-seven years and is currently the senior partner at the law firm of Linn Law Offices in Oakhurst, California. He is licensed to practice in California and has also been admitted to the Bar by the United States Court of Appeals for the Federal Circuit, the United States Claims Court, and the United States Supreme Court.

A sense of volunteerism has driven much of Mr. Linn's life. He has served as President of the Oakhurst Community Fund and Oakhurst Community Park Association since 1984. He is a former President of the Oakhurst Sierra Rotary Club, the Eastern Madera County Bar Association, and the Eastern Madera County Chamber of Commerce.

Mr. Linn has remained politically active throughout his career and in his private life. He has served on many councils, including Congressional Advisory Councils, the Congressional Business Council, and Congressional Service Academy Selection Boards for the past eighteen years. He was the Republican nominee for the 18th Congressional District in 1988; and in 1989, he was the Eastern Madera County Man of the Year. He has been a member of the California Republican State Central Committee for fourteen years and currently is a Madera County Civil Service Commissioner.

Mr. Speaker, please join me in honoring David A. Linn for his outstanding service to his country and community. His expertise as a Naval Officer, strong academic background, and life experiences have made his contributions on the Academy Selection Board for former Representative George Radanovich and myself invaluable. He is a true public servant, and I wish him continued success in his future endeavors.

HONORING COLBY COLLEGE ON ITS BICENTENNIAL

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate Colby College as it prepares to celebrate its bicentennial in 2013.

Nearly 200 years ago, residents of Kennebec County raised over $4,000 to secure land for a locally-based theological institution. The petition establishing what was then the Maine Literary and Theological Institution was formally adopted by the Massachusetts Legislature on February 27, 1813, making it the 33rd chartered college in the country. Today, Colby College enrolls over 1,800 students from 46 states and 76 countries. As one of the finest liberal arts colleges in the country, its graduates have gone on to become international business leaders, critically acclaimed writers, noted statesmen, and even members of my Congressional staff.

Throughout its history, Colby College has fostered a culture of social justice at its very core. In 1833, students launched the first college-based anti-slavery society. In 1871, Colby College became the first all-male college in New England to admit women, the first of whom was Mary Caffrey Low, valedictorian of the Class of 1875 and one of the five founding members of the Sigma Kappa sorority. In 1985, students successfully protested for College divestment in South Africa in protest of apartheid. More recently, Colby has made ever increasing strides to attract students with diverse cultural and economic backgrounds, to reduce the college's carbon footprint, and to develop new partnerships with the community.

The College will kick off its bicentennial celebration this October. Special lectures, panel discussions, and festivities will be held throughout the year both on campus, as well as in downtown Waterville. I am pleased to have the opportunity to join the community's celebration of Colby, and I look forward to watching the College continue its growth during the years to come.

Mr. Speaker, please join me again in congratulating the students, alumni, faculty, staff, and friends of Colby College as they celebrate their bicentennial.

CELEBRATING THE 101ST ANNIVERSARY OF DOUBLE TEN DAY FOR THE PEOPLE OF TAIWAN

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to congratulate the people of Taiwan on the upcoming celebration of the 101st anniversary of "Double Ten Day." Double Ten Day traces its roots to the Wuchang Uprising that occurred on October 10, 1911. The Wuchang Uprising signaled the end of the Qing Dynasty and the start of a democratic movement that we continue to celebrate and recognize. Double Ten Day is a celebration of the birth of democracy and the Republic of China.

I want to especially recognize the people of Taiwan on this important occasion. The strength of the relationship between the people of Taiwan and the people of the United States is strong and this is evidenced by the expansion of the U.S. visa waiver program to include Taiwan. Inclusion of Taiwan in the U.S. visa waiver program is a significant development in the relationship between both countries. This announcement will help to expand business opportunities as well as deepen our mutual appreciation for each other's unique cultures. Exchange of our cultures is clearly evidenced on Guam, which is home to many people of Chinese ancestry. Guam continues to benefit from their cultural contributions to our community and the promotion of trade and economic opportunities. I congratulate the people of Taiwan on the 101st anniversary of Double Ten Day. We celebrate this historic occasion with them and we honor their friendship with the American people.

HONORING CHANDLER ELEMENTARY SCHOOL AS A 2012 BLUE RIBBON SCHOOL

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. HENSARLING. Mr. Speaker, today I would like to honor Chandler Elementary School of the Brownsboro Independent School District from the Fifth Congressional District of Texas for excellence in education. Chandler Elementary School was named to the United States Department of Education's 2012 Blue Ribbon Schools Program, which: ''recognizes public and private elementary, middle, and high schools where students perform at very high levels or where significant improvements are being made in students' levels of academic achievement.''

Chandler Elementary School's performance illustrates the commitment and dedication of the school board, administrators, teachers, and staff who provide students with a quality education. The school district, parents, students, and community should be applauded for this achievement.

Mr. Speaker, as the representative for the Fifth Congressional District of Texas, I would like to commend Chandler Elementary School for their continued educational achievements.

HONORING THE 90TH BIRTHDAY OF MARY LYDIA MATTA GARZA

HON. JEFF FLAKE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. FLAKE. Mr. Speaker, I rise today to commemorate and celebrate the 90th birthday of Mrs. Mary Lydia Matta Garza, of Mesa, Arizona.

Known to her friends and family as Mary Lou, Mrs. Matta Garza is perhaps best known in the Mesa community as the proud owner and operator of the former Matta's Restaurant. Now a Mesa landmark, Matta's was opened in 1953 by Mrs. Matta Garza and her husband, Manuel. Mary Lou and Manuel opened Matta's with only $1,000, and grossed a mere $25 a day in those first few weeks and months of getting their small business off the ground.

Matta's opened as a small storefront, but its family-oriented traditions and atmosphere, and of course, its great dishes based on Matta family recipes passed down for generations, drew larger and larger crowds. The Matta's following grew so much that in 1969, Mary Lou and Maneul were able to expand Matta's home, adding enough seating for 350 people.

Mrs. Matta Garza and her family decided to close Matta's in 2008 after 55 years of serving quality Latin fare. But despite its closed doors, its traditions, and of course, its great food, now live on at Matta's Mexican Grill in East Mesa and Matta's Grill and Cantina in Northwest Mesa, which are owned and operated by Mrs. Matta Garza's grandchildren.

While Matta's was becoming a successful business and Mesa landmark, Mrs. Matta Garza—in between helping to run the restaurant and raise six children—made many important contributions to the Mesa community and the state of Arizona. She launched the Mesa-Phoenix and Flagstaff councils of the League of United Latin American Citizens, or LULAC, and served as LULAC's regional governor. She volunteered her time at the Southside Hospital of Mesa and Desert Samaritan Hospital and served as a board member and treasurer of the Mesa Chamber of Commerce. For her many efforts to give back, Mrs. Matta Garza was named Mesa Woman of the Year in 1973.

In her 90 years, Mary Lou Matta Garza raised her six children, saw the birth of 21 grand children, 23 great grandchildren, and even one great-great grandchild. She ran a profitable business that became a pillar of Mesa. And she gave much of her time, effort, and love to her community. Mrs. Matta Garza is fond of saying that giving back in this way will ''reward you tenfold.'' As a Mesa resident, I feel rewarded to have had her as an integral part of our community. Thank you, Mrs. Matta Garza, for all you have done and continue to do for our town and our home.

EXAMINING THE ROLE OF RWANDA IN THE DRC INSURGENCY

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. SMITH of New Jersey. Mr. Speaker, I held a hearing that examined U.S. policy toward Rwanda following the release on June 26th of a United Nations report confirming Rwanda's support of rebels who have ravaged the provinces of North and South Kivu in neighboring Democratic Republic of the Congo, or DRC. In the aftermath of the 1994 genocide until the issuance of this report, the international community declined to comment on Rwanda's interventions in the DRC. We need to better understand the devastation caused by these interventions and gauge how the United States can play a helpful role in bringing this crisis to an end.

Unfortunately, our previously scheduled Administration witnesses—Assistant Secretary of State for African Affairs Johnnie Carson and USAID Assistant Administrator for the Bureau of Africa Earl Gast—are unable to testify this morning due to events in the world involving heightened security for U.S. embassies and aid missions. This would have been an opportunity to present a full statement of the Administration position on what has happened in the DRC and what needs to be done to more effectively address the root causes of the ongoing conflict there. We expect that they will be available to speak publicly on these matters at a later date.

We had a distinguished private panel that was more than able to shed light on the crisis in the DRC, as well as Rwanda's involvement in the ongoing rebellion in eastern DRC. The crisis in the DRC is both tragic and complex, and the ethnic cleavages have developed over more than a century, although they have been heightened in recent decades. The first significant recorded influx into the DRC of Rwandan Tutsis and Hutus dates back to the 1880s.

Other ethnic groups in DRC (then known as Zaire) began to fear the influence of the Rwandans, especially in the East. The Hutu-Tutsi conflict in Rwanda led to the 1994 genocide there, but Hutu-Tutsi animosity also spilled over into the DRC. Hutu militiamen, who fled Rwanda after the genocide, have repeatedly attacked Rwanda, and fighting involving Tutsis and Hutus inside the DRC have terrorized the inhabitants of the eastern part of the country.

As one of our witnesses today, Congolese Bishop Ntambo Ntanda, told us, six million people have lost their lives in the DRC as a result of recurring conflict. Far from resolving ethnic disputes, the interventions by Rwanda in the DRC have exacerbated tensions among the ethnic groups who live there.

In the wake of activity by Rwandan troops or militias that they create or support, Tutsi and Hutu people living in the DRC have become targets as a result. Rwanda has been engaged in armed intervention in the DRC for at least 17 years. If this is the most successful method to halt cross-border attacks into Rwanda by Hutu rebels operating from DRC territory, why is there continued devastation in the region? Why do Tutsis and Hutus living in the DRC seem more hated today than they have been previously?

During the summer of 2008, the National Congress for the Defense of the People (CNDP), a Congolese rebel group, reportedly was backed secretly by Rwanda. It was initially led by Tutsi General Laurent Nkunda, an indicted war criminal. A March 23, 2009, agreement between the DRC and Rwanda led to the arrest of Nkunda, but replaced him with Bosco Ntaganda, even then a suspected war criminal for whom the International Criminal Court (ICC) had issued an arrest warrant in 2006. When the CNDP judged that DRC President Joseph Kabila had broken the 2009 accord, Ntaganda led a mutiny that named itself M23 for date of the broken agreement and began a reign of terror in eastern DRC.

In June of this year, a United Nations Group of Experts report confirmed that Rwandan Defense Minister James Kabarebe and other top Rwandan military officers played a central role in organizing, funding and arming the mutineers in eastern DRC. The report also stated that Rwandan military officers engaged in efforts to convince Congolese businessmen, politicians and former rebels that had joined the Congolese army to join the M23 mutiny in order to wage ''a new war to obtain a secession of both Kivus.'' The report further charged that Rwanda was protecting Ntaganda from arrest. Meanwhile, Nkunda remains in Rwanda—immune from prosecution for his crimes.

Aside from ethnic divisions and allegations of breach of faith in agreements, another source of conflict has been the abundant mineral wealth in DRC, including 70% of the world's coltan (used to make vital components of cell phones and other electronic equipment), 30% of the world's diamond reserves and vast deposits of cobalt, copper and bauxite. The UN report stated that rebels in the East export precious minerals for profit to fund their continuing mayhem and that Rwandan officials also were benefiting from DRC's mineral wealth.

We have held this hearing to begin the process of finding a way to address the factors that have caused Rwanda's armed intervention in hopes that the U.S. Government can offer a lasting solution to the long crisis in the DRC.

PAYING TRIBUTE TO LIEUTENANT COLONEL KELLY M. LAUREL FOR EXCEPTIONAL SERVICE TO THE UNITED STATES ARMY AND TO OUR NATION

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DICKS. Mr. Speaker, I rise to pay tribute to Lieutenant Colonel Kelly M. Laurel for her exceptional dedication to duty and service to the United States Army and to the United States of America. Lieutenant Colonel Kelly Laurel will be transitioning from her present assignment as the Senior Army Budget Congressional Liaison for the Army (SAFM–BUL) to work on the Secretary of the Army's Strategic Initiatives Group.

A native of Laredo, Texas, Lieutenant Colonel Kelly Laurel enlisted in the Wyoming Air National Guard in 1989 and completed Air Force Basic Military Training and Medical Records Technician Training at Lackland Air Force Base, Texas. She later joined the Army Reserve Officer Training Corps program at Weber State University, where she completed a bachelor's degree in Microbiology and Chemistry in May 1993. Upon her graduation she was commissioned a Second Lieutenant in the Medical Service Corps in the Army Reserve. The following year she opted to enter the active duty Army.

Lieutenant Colonel Laurel's assignments have been diverse, including Medical Platoon Leader, 61st Area Support Medical Company; Adjutant, 1st Medical Group; Budget Officer, 13th Corps Support Command; and Company Executive Officer, 502d Medical Company (Dental Service), all at Fort Hood, Texas. In Korea, she served as a Company Commander, for Headquarters, 52d Medical Evacuation Battalion; and later Chief of the Management Division, 18th Medical Command. In Germany, she served as the Chief Financial Officer for the Heidelberg Medical Activity. She was then assigned to Office of the Surgeon General where she served as the Senior Budget Analyst, Chief of the Financial Health Policy Division and as a Congressional Affairs Coordinating Officer. In addition to her regular duties, she also served as the Deputy Consultant for Comptrollers for over three years, where she assisted in recruitment, career development and assignments for all MSC Comptrollers.

Lieutenant Colonel Laurel has worked diligently throughout her career to help the Army and take care of our nation's men and women in uniform. As a Senior Legislative Liaison she worked directly with the Senate and House Appropriations Committees to educate and inform Senators, Representatives, and staff about medical issues, soldier issues and various programs.

Mr. Speaker, it has been a pleasure to work with Lieutenant Colonel Kelly Laurel during her time as a legislative liaison. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Lieutenant Colonel Kelly Laurel for a lifetime of service to her country. We wish Kelly, her husband Raymond, and her children Alex, Isabella, Zachary and Daniel all the best as they continue their journey in the United States Army.

RECOGNIZING NORTHEAST TENNESSEE SECTION OF THE AMERICAN CHEMICAL SOCIETY ON NATIONAL CHEMISTRY WEEK

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. ROE of Tennessee. Mr. Speaker, during the week of October 21–27, the American Chemical Society, ACS, will be celebrating the 25th anniversary of National Chemistry Week. National Chemistry Week is an annual community outreach program hosted by the ACS and its volunteers across the country to highlight the importance of chemistry in our lives. This year's theme is Nanotechnology: The Smallest Big Idea in Science.

I applaud the ACS for its efforts to showcase the importance of science to all Americans—especially our students. The study of chemistry and nanotechnology has made tremendous advances possible in areas ranging from energy and the environment to health. And with so many American servicemen and women still in the field, it is worth noting that nanotechnology has been used to create a special coating of Teflon to Kevlar, which offers added protection to those in uniform. And in chemistry—as with all of science—we are just scratching the surface of what is possible.

I commend the American Chemical Society—and its Northeast Tennessee Section—for hosting its annual celebration of National Chemistry Week.

100TH ANNIVERSARY OF THE NUT GOODIE BAR

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. McCOLLUM. Mr. Speaker, today I rise to honor the 100th Anniversary of the Nut Goodie Bar—one of my favorite candies that just so happens to be produced in Saint Paul, Minnesota in my congressional district. This delicious candy became an instant success when it was introduced by Pearson's Candy Company in 1912, and it continues to delight 100 years later.

Honoring the 100th Anniversary of a candy as iconic as Pearson's Nut Goodie Bar is no small task. The company is releasing a limited time only candy, the Sea Salt Caramel Nut Goodie. Inspired by the "Golden Ticket" contest from Rohald Dahl's, Charlie and the Chocolate Factory, the wrappers for the special edition Nut Goodie have a code that can be entered to see if you have won a "Too Goodie to Be True Factory Tour." The Minnesota State Fair even got involved in the celebration with a deep fried Nut Goodie Bar.

Pearson's Candy Company has been a Minnesota institution since 1909, when it was founded by J. Edward Pearson and his brothers John Albert and Oscar F. Pearson. The company quickly became a leading producer of candy. In 1933 the Pearson brothers introduced the Salted Nut Roll, which continues to be a favorite to this day. The company moved to St. Paul in 1951 when they purchased the Trudeau Candy Company, which brought the famous Mint Pattie to its growing array of products. Recently, the Bun Bar was added to the tasty company offerings.

Mr. Speaker, please join me in paying tribute to the 100th Anniversary of the Nut Goodie Bar, and the proud employees who make them at Pearson's Candy Company in Saint Paul, Minnesota.

HONORING ANNALEE CARROLL FROM APPLETON, MAINE

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Ms. PINGREE of Maine. Mr. Speaker, I would like to recognize a young constituent of mine who has proven that vegetables aren't just healthy, but delicious.

In August, the White House invited children from across the country to a "Kids State Dinner" to highlight healthy recipes that they submitted. Twelve-year-old Annalee Carroll from Appleton, Maine, was selected to represent our state with her recipe for turkey dumplings.

Full of healthy ingredients, Annalee's turkey dumplings can be made in a flash—and look tasty enough to disappear from dinner plates just as quickly.

While parents have been the ones historically to tell their children to eat vegetables, we all have something to learn from Annalee and her peers. Go into a school cafeteria in Maine these days and you're likely to see kids happily gobbling up kale instead of French fries. In between classes, they're tending to the school garden. On the weekends, they're introducing their parents to the local farmers market.

What's behind the change? For years, children learned little—if anything—about what they ate and where it came from. Today, though, more schools are connecting students directly with their food sources. Children are literally getting their hands dirty while learning about the places and people producing their food. With that first-hand information, students more often opt for fresh, healthy foods, many of which can be grown locally or even in school gardens.

I am grateful that the White House, and in particular the First Lady, has done so much to raise awareness about eating healthy, and to celebrate kids who are leading this positive change. Congratulations to Annalee on her excellent recipe!

IN RECOGNITION OF THE TURTLE BAY ASSOCIATION ON THE OCCASION OF ITS FIFTY-FIFTH ANNIVERSARY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mrs. MALONEY. Mr. Speaker, I rise to acknowledge the achievements of the Turtle Bay Association of New York, which celebrates its 55th anniversary this year. For over half a century, the dedicated members of the Turtle Bay Association, TBA, have served as passionate and conscientious stewards of one of

Manhattan's most celebrated and historic neighborhoods.

The Turtle Bay Association has worked tirelessly to improve and preserve the quality of life in its community. In 1957, community members created the Turtle Bay Association to give residents a platform for voicing concerns about the ways in which robust development affected their neighborhood. TBA members, which number nearly 2,000, have conserved their area's low-rise architectural cohesiveness and aesthetic beauty by successfully fighting for rezoning efforts. They have also undertaken numerous neighborhood beautification initiatives, such as the Turtle Bay Association Tree Program and the Beautification of Second Avenue campaign resulting in tree and flower planting and graffiti elimination. They have spearheaded major renovations of public spaces at Peter Detmold Park, MacArthur Playground, and Dag Hammarskjöld Plaza. In the Plaza, they created the Katharine Hepburn Garden, a green and tranquil urban oasis named after one of America's most celebrated actresses.

Turtle Bay Association members have preserved Turtle Bay's quality of life by serving as community watchdogs through vigorous involvement in the New York Police Department's 17th Precinct Community Council and volunteer efforts such as repainting street furniture and supporting the National Night Out Against Crime every year. They have worked closely with local elected officials and municipal agencies to secure optimum government service, and kept Association members informed through the publication of regular newsletters, the TBA website, and bulletin board displayed on Second Avenue. The Turtle Bay Association is known for hosting annually recurring events such as a holiday season toy drive and a ''Love Thy Neighborhood'' Valentine's Day Party.

Currently, the Turtle Bay Association is keeping an eye on the impact of the many homeless shelters that are in and around the Turtle Bay area; and TBA continues to donate magazine subscriptions to the 30th Street Men's Shelter. The Association is also working to create bike lanes and improve security in the area to ensure the safety of pedestrians and cyclists in the neighborhood.

The Turtle Bay neighborhood dates back to 1639, when the Dutch rulers of Manhattan Island granted two English settlers a land grant. Turtle Bay's natural beauty was noted by famous Americans from Horace Greeley to Edgar Allan Poe. Its iconic past is outlined in the 2008 book by former TBA board member, Pamela Hanlon, Manhattan's Turtle Bay: Story of a Midtown Neighborhood. Today, as the home to the United Nations, Turtle Bay is a fitting symbol of New York City's status as the capital of the world. Famous Turtle Bay residents, in addition to Katharine Hepburn, have included Walter Cronkite, Kurt Vonnegut, Dorothy Thompson, Tyrone Power, Maxwell Perkins, Mary Martin, Derek Jeter, and the brilliant Broadway composer Stephen Sondheim. Today, the Turtle Bay Association's legacy of effectiveness and voluntarism is proudly led by its Board of Directors: President William E. Curtis, Vice Presidents Millie Margiotta, Dolores Marsh, and Bruce Silberblatt, Secretary Pascale Longuet, and Treasurer Dick Irwin.

Mr. Speaker, I request that my distinguished colleagues join me in honoring the passionate and dedicated Turtle Bay Association members for their ongoing success in helping to make Turtle Bay a wonderful place to live, and in saluting them on the occasion of the Association's 55th anniversary.

HONORING COMMANDER ROBERT HADLEY BROWN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. DENHAM. Mr. Speaker, I rise today to honor the service career of Commander Robert Hadley Brown. Commander Brown served his country in the United States Navy and will soon be celebrating his upcoming retirement as District Attorney for Mariposa County.

In December of 1960, Commander Brown entered the United States Navy through Officer Candidate's School and was commissioned into the U.S. Naval Reserve. Robert then married his college sweetheart, Jo Ann, in Memphis, Tennessee on June 4, 1961. As the couple continued their lives together they were blessed with two children, Robert Hadley Brown, Jr. and Elizabeth Ann Brown Rinella, along with four grandchildren—Benjamin, Hadley, Dylan, and Shauna.

In 1963, Commander Brown was commissioned into the United States Navy as a Lieutenant Junior grade. After being commissioned, Commander Brown served on three warships, as well as commanding a River Patrol Division in Vietnam, where his division earned a Presidential Unit Citation. Robert was also awarded a Bronze Star in recognition of his superior service. While on active duty, Commander Brown and his family lived in Hawaii, Germany, Rhode Island, and San Diego. After twenty years of active service in the United States Navy, Robert honorably retired as a Commander in 1980.

After ending his U.S. Naval career, Commander Brown continued his education at the University of Memphis. Robert then attended Boston University earning his Master's Degree in Education. He finished his collegiate career at Thomas Jefferson University in 1985, where he received his Juris Doctorate and graduated fourth in his class. Commander Brown's dedication to his studies was rewarded that same year, when he passed the state bar.

In his new career path as a lawyer, Commander Brown joined a law firm in San Diego. After two years, he knew he wanted to be a prosecutor and joined the San Diego City Attorney's Office. In 1989, Robert and Jo Ann bought a ranch in Mariposa County and moved from San Diego. Robert became a Deputy District Attorney in Merced County in June of 1989, and was later promoted to a Supervising Deputy District Attorney. Commander Brown retired from this position in November, 2002.

In that same year, he was elected as the Mariposa County District Attorney. He was then reelected in 2006 and 2010. During his ten years of service in this capacity, Commander Brown dedicated his time to protecting the citizens of Mariposa County.

On October 31, 2012, Commander Brown will retire as the Mariposa County District Attorney.

Mr. Speaker, please join me in honoring Commander Robert Hadley Brown for his outstanding achievements in his career. He is a true public servant. I congratulate him on his retirement, and wish him the best of success in his future endeavors.

RECOGNIZING THE ACHIEVEMENTS OF PASTOR CHARLES J. BRISCOE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 19, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Pastor Emeritus Charles J. Briscoe, a graduate of Western Bible College, a studious teacher of the Holy Bible, and a member of the Fifth District of Missouri, which I am deeply honored to represent. Pastor Briscoe is a native of Kansas City. He attended elementary school and graduated from the R.T. Coles Vocational High School with music as his major.

Pastor Briscoe was honored by the National Center for Fathering with the 2004 ''City Father'' award. Offered to recipients who demonstrate community and family leadership and influence, the award was a fitting testament to the father of nine children and a man who has served Kansas City in various capacities for over 50 years.

Rev. Briscoe, a native Kansas Citian, has been involved with community services most of his life, including Goodwill Industries, the Neighborhood Alliance, and the Young Men's Christian Association (YMCA). From 1970 to 1974, he worked as President and then Chairman on the Kansas City, Missouri School Board. ''This was shortly after Martin Luther King was assassinated'' he says of the experience, ''and so there was a lot of turmoil here in Kansas City.'' He remembers letting students vent their frustrations, rather than ''giving it back to them. It helped diffuse some of the volatile situations.''

Retired since February, 2003, Rev. Briscoe was senior pastor of the historic Paseo Baptist Church for 35 years. He has made mission trips with the church all over the world, including Africa, Israel, and Jamaica. While on a work and witness trip in South Africa, he, his wife Georgia Mae, and six other Paseo Baptist members helped start up their sister church in Johannesburg and conducted Vacation Bible School for the youths.

Pastor Briscoe, although retired, remains a much respected and admired religious leader. He continues his involvement with Paseo Baptist Church and serves on the Board of Directors of Salvation Army and as Secretary for the Carver Foreign Missions Board. He has served as a Co-Chair of the Billy Graham Evangelical Association's Heart of America Campaign.

Rev. Briscoe has been committed, throughout his ministry with building strong families with the church and the community. One of his greatest joys is building bridges of understanding between various peoples and helping families become wholesome influences to this community. He is considered Kansas City's supreme pastor and for that and numerous other roles of service, he is now inducted into the Missouri Walk of Fame.

Mr. Speaker, please join me in expressing our appreciation to Pastor Charles Briscoe and his endless commitment to serving the residents of the State of Missouri and the Greater Kansas City Metropolitan Area. He is a true role model, not just to the African-American community in Missouri, but to the entire community and the nation. May his success serve as a stepping stone for many other African-Americans eager to be just as successful in their endeavors. While it is but a small acknowledgement for all of the work he has done, this recognition is a heartfelt gesture, taking strength from the many lives he has touched in our hometown.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 20, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 25

2 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine improving financial accountability at the Department of Defense.

SD–342

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6393–S6473

Measures Introduced: Twenty-five bills and twelve resolutions were introduced, as follows: S. 3553–3577, and S. Res. 559–570. **Pages S6453–55**

Measures Reported:

S. 2071, to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps. (S. Rept. No. 112–212)

S. 76, to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children. (S. Rept. No. 112–213)

S. 357, to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to those emergencies, with amendments. (S. Rept. No. 112–214)

S. 1494, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, with amendments. (S. Rept. No. 112–215)

S. 2156, 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, with amendments. (S. Rept. No. 112–216)

S. 2282, to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017. (S. Rept. No. 112–217)

S. 134, to authorize the Mescalero Apache Tribe to lease adjudicated water rights. (S. Rept. No. 112–218)

S. 3315, to repeal or modify certain mandates of the Government Accountability Office, with an amendment. (S. Rept. No. 112–219)

S. 3341, to require a quadrennial diplomacy and development review. (S. Rept. No. 112–220)

S. Res. 466, calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko, with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 516, expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras.

S. Res. 543, to express the sense of the Senate on international parental child abduction, with an amendment in the nature of a substitute and with an amended preamble.

S. 645, to amend the National Child Protection Act of 1993 to establish a permanent background check system, with an amendment in the nature of a substitute.

S. 1440, 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, with an amendment in the nature of a substitute.

S. 3391, to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

S. 3566, to provide for scientific frameworks with respect to recalcitrant cancers.

S. 3568, 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.

S. Con. Res. 50, expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived. **Page S6451**

Measures Passed:

National Health Information Technology Week: Senate agreed to S. Res. 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. **Pages S6469–70**

National Phenylketonuria Awareness Day: Senate agreed to S. Res. 563, designating December 3, 2012, as "National Phenylketonuria Awareness Day". **Page S6470**

National Medicine Abuse Awareness Month: Senate agreed to S. Res. 564, designating the month of October 2012 as "National Medicine Abuse Awareness Month". **Page S6470**

National Day on Writing: Senate agreed to S. Res. 565, expressing support for the designation of October 20, 2012, as the "National Day on Writing". **Pages S6470–71**

National Estuaries Day: Senate agreed to S. Res. 566, designating September 29, 2012, as "National Estuaries Day". **Page S6471**

Honoring the Life of George Hickman: Senate agreed to S. Res. 567, honoring the life and career of George Hickman. **Page S6471**

National Hispanic-Serving Institutions Week: Senate agreed to S. Res. 568, designating the week beginning September 16, 2012, as "National Hispanic-Serving Institutions Week". **Page S6471**

National Character Counts Week: Senate agreed to S. Res. 569, designating the week beginning October 21, 2012, as "National Character Counts Week". **Pages S6471–72**

National Parents as Teachers Day: Senate agreed to S. Res. 570, designating November 8, 2012, as "National Parents as Teachers Day". **Page S6472**

Honoring the Contributions of Lodi Gyaltsen Gyari: Committee on Foreign Relations was discharged from further consideration of 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, and the resolution was then agreed to. **Pages S6472–73**

Measures Considered:

Family and Business Tax Cut Certainty Act: Senate began consideration of the motion to proceed to consideration of S. 3521, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions. **Page S6393**

Subsequently, Senator Reid withdrew the motion to proceed. **Page S6393**

Veterans Jobs Corps Act: Senate resumed consideration of S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, taking action on the following amendments and motions proposed thereto: **Pages S6395–S6405**

Pending:

Reid Amendment No. 2810 (to the language proposed to be stricken by Amendment No. 2789), to change the enactment date. **Page S6395**

Reid Amendment No. 2811 (to Amendment No. 2810), of a perfecting nature. **Page S6395**

Reid motion to commit the bill to the Committee on Veterans Affairs, with instructions, Reid Amendment No. 2812, to change the enactment date. **Page S6395**

Reid Amendment No. 2813 (to (the instructions) Amendment No. 2812), of a perfecting nature. **Page S6395**

Reid Amendment No. 2814 (to Amendment No. 2813), of a perfecting nature. **Page S6395**

During consideration of this measure today, Senate also took the following action:

By 58 yeas to 40 nays (Vote No. 193), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974 and the applicable sections of that Act with respect to consideration of Reid (for Murray) Amendment No. 2789, in the nature of a substitute. Subsequently, a point of order that the amendment was in violation pursuant to Section 302(f) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Pages S6396–S6404**

Reid (for Murray) Amendment No. 2789, in the nature of a substitute, fell when the point of order was sustained against the amendment. **Page S6395**

Reid Amendment No. 2808 (to Amendment No. 2789), to change the enactment date, fell when Reid (for Murray) Amendment No. 2789 fell. **Page S6395**

Reid Amendment No. 2809 (to Amendment No. 2808), of a perfecting nature, fell when Reid Amendment No. 2808 (to Amendment No. 2789) fell. **Page S6395**

Subsequently, the motion to invoke cloture on Reid (for Murray) Amendment No. 2789 was withdrawn. **Page S6405**

Subsequently, the motion to invoke cloture on the bill was withdrawn. **Page S6405**

Subsequently, the bill was returned to the Senate Calendar. **Page S6405**

Continuing Appropriations Resolution—Agreement: Senate began consideration of the motion to proceed to consideration of H.J. Res. 117, making continuing appropriations for fiscal year 2013. **Pages S6405–22**

A motion was entered to close further debate on the motion to proceed to consideration of the joint resolution, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, September 13, 2012, a vote on cloture will occur at 2:15 p.m., Wednesday, September 19, 2012. **Page S6405**

During consideration of this measure today, Senate also took the following action:

By 76 yeas to 22 nays (Vote No. 194), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the joint resolution. **Page S6405**

A unanimous-consent agreement was reached providing that at 2 p.m., on Thursday, September 20, 2012, all post-cloture time on the motion to proceed to consideration of the joint resolution, be considered expired, and Senate vote on the motion to proceed to consideration of the joint resolution, and that following the vote, the Majority Leader be recognized. **Page S6473**

Nominations Received: Senate received the following nominations:

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.

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.

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.

Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training.

Bibiana Boerio, of Pennsylvania, to be Director of the Mint for a term of five years.

Beth J. Rosenberg, of Massachusetts, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Robert F. Godec, of Virginia, to be Ambassador to the Republic of Kenya.

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.

Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

Jennifer A. Dorsey, of Nevada, to be United States District Judge for the District of Nevada.

Andrew Patrick Gordon, of Nevada, to be United States District Judge for the District of Nevada.

Michael J. McShane, of Oregon, to be United States District Judge for the District of Oregon.

Derek Anthony West, of California, to be Associate Attorney General.

Frederick Vollrath, of Virginia, to be an Assistant Secretary of Defense.

A routine list in the Coast Guard. **Page S6473**

Messages from the House: **Page S6446**

Measures Referred: **Page S6446**

Measures Placed on the Calendar: **Page S6446**

Measures Read the First Time: **Pages S6446, S6473**

Executive Communications: **Pages S6446–51**

Executive Reports of Committees: **Pages S6451–53**

Additional Cosponsors: **Pages S6455–58**

Statements on Introduced Bills/Resolutions: **Pages S6458–67**

Additional Statements: **Pages S6441–45**

Amendments Submitted: **Pages S6467–68**

Notices of Hearings/Meetings: **Pages S6468–69**

Authorities for Committees to Meet: **Page S6469**

Privileges of the Floor: **Page S6469**

Record Votes: Two record votes were taken today. (Total—194) **Pages S6404–05, S6405**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:25 p.m., until 9:30 a.m. on Thursday, September 20, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6473.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 7,276 nominations in the Army, Navy, and Air Force.

AMERICA COMPETES ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine five years of the ''America COMPETES Act'', focusing on progress, challenges, and next steps, after receiving testimony from Carl Wieman, University of Colorado Boulder, and Norman R. Augustine, both of Bethesda, Maryland; Jeffrey L. Furman, Boston University, Boston, Massachusetts; Peter Lee, Microsoft Research, Redmond, Washington; and John L. Winn, National Math and Science Initiative, Dallas, Texas.

WATER AND POWER BILLS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 3265, to amend the Federal Power Act to remove the authority of the Federal Energy Regulatory Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal ownership but that is subject to a power site reservation, H.R. 2842, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 3464, to amend the Mni Wiconi Project Act of

1988 to facilitate completion of the Mni Wiconi Rural Water Supply System, and S. 3483, to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, after receiving testimony from Senator Merkley; Representative Tipton; Grayford F. Payne, Deputy Commissioner for Policy, Administration and Budget, Bureau of Reclamation, Department of the Interior; and John Katz, Deputy Associate General Counsel, Federal Energy Regulatory Commission.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine nomination of Robert Stephen Beecroft, of California, to be Ambassador to the Republic of Iraq, Department of State, after the nominee testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 2215, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, with an amendment in the nature of a substitute;

S. 2318, to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, with an amendment in the nature of a substitute;

S. 3310, 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, with an amendment in the nature of a substitute;

S. 3331, to provide for universal intercountry adoption accreditation standards;

S. 3341, to require a quadrennial diplomacy and development review;

S. Con. Res. 50, expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived;

S. Res. 516, expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras;

S. Res. 466, calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko, with an amendment in the nature of a substitute;

S. Res. 543, to express the sense of the Senate on international parental child abduction, with an amendment in the nature of a substitute; and

The nominations of Richard G. Olson, of New Mexico, to be Ambassador to the Islamic Republic of Pakistan, Joseph E. Macmanus, of New York, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, Walter North, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu, Sharon English Woods Villarosa, of Texas, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, Dawn M. Liberi, of Florida, to be Ambassador to the Republic of Burundi, and Stephen D. Mull, of Virginia, to be Ambassador to the Republic of Poland, all of the Department of State, John Hardy Isakson, of Georgia, and Patrick J. Leahy, of Vermont, both to be a Representative of the United States of America to the Sixty-seventh Session of the General Assembly of the United Nations, and lists in the Foreign Service.

HOMELAND THREATS AND AGENCY RESPONSES

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine homeland threats and agency responses, after receiving testimony from Janet Napolitano, Secretary of Homeland Security; Matthew G. Olsen, Director, National Counterterrorism Center, Office of the Director of National Intelligence; and Robert S. Mueller, III, Director, Federal Bureau of Investigation, Department of Justice.

INVESTING IN AN EFFECTIVE FEDERAL WORKFORCE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine investing in an effective Federal workforce, focusing on how effectively implementing reforms and closing critical skills gaps are key to addressing Federal workforce challenges, after receiving testimony from John Berry, Director, U.S. Office of Personnel Management; Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office; and Colleen M. Kelley, National Treasury Employees Union, J. David Cox, Sr., American Federation of Government Employees, American Federation of Labor and Congress of Industrial Organizations

(AFL–CIO), Max Stier, Partnership for Public Service, and William L. Bransford, Government Managers Coalition, all of Washington, DC.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 3391, to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification;

An original bill (S. 3566) entitled, ''Recalcitrant Cancer Research Act of 2012'';

S. 1440, 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, with an amendment in the nature of a substitute; and

Nomination lists in the Public Health Service.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Katherine Polk Failla, to be United States District Judge for the Southern District of New York, Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, and Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade, each introduced by Senator Schumer, Troy L. Nunley, to be United States District Judge for the Eastern District of California, who was introduced by Senator Feinstein, and Sheri Polster Chappell, to be United States District Judge for the Middle District of Florida, who was introduced by Senator Nelson (FL), after the nominees testified and answered questions in their own behalf.

HATE CRIMES AND DOMESTIC EXTREMISM

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Human Rights to examine hate crimes and the threat of domestic extremism, after receiving testimony from Scott McAllister, Office of Intelligence and Analysis, Department of Homeland Security; Roy L. Austin, Jr., Deputy Assistant Attorney General, Civil Rights Division, and Michael A. Clancy, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, both of the Department of Justice; Daryl Johnson, DT Analytics, Washington, DC; James B. Jacobs, New York University School of Law, New York, New York; and Harpreet Singh Saini, Oak Creek, Wisconsin.

ELIMINATING WASTE AND FRAUD IN MEDICARE

Special Committee on Aging: Committee concluded a hearing to examine eliminating waste and fraud in Medicare, focusing on an examination of prior authorization requirements for power mobility devices, after receiving testimony from Deborah Taylor, Chief Financial Officer and Director, Office of Financial Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Paul Hughes, Durable Medical Equipment Medicare Administrative Contractor, Lexington, South Carolina; Stephen T. Peake, Blue Cross Blue Shield of Tennessee, Chattanooga; Michael B. Clark, The SCOOTER Store, New Braunfels, Texas; and Jerome Epplin, Litchfield Family Practice Center, Litchfield, Illinois, on behalf of the American Geriatrics Society.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 6430–6443; and 4 resolutions, H. Res. 789–792 were introduced. **Pages H6150–51**

Additional Cosponsors: **Pages H6151–52**

Reports Filed: Reports were filed today as follows:

H.R. 5948, to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes, with an amendment (H. Rept. 112–678);

H.R. 6194, to ensure the viability and competitiveness of the United States agricultural sector (H. Rept. 112–679); and

H. Res. 788, providing for consideration of the joint resolution (H.J. Res. 118) 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; providing for consideration of the bill (H.R. 3409) to

limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977; and providing for proceedings during the period from September 22, 2012, through November 12, 2012 (H. Rept. 112–680). **Page H6150**

Speaker: Read a letter from the Speaker wherein he appointed Representative Womack to act as Speaker pro tempore for today. **Page H6071**

Recess: The House recessed at 12:20 p.m. and reconvened at 2 p.m. **Page H6073**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Endangered Fish Recovery Programs Extension Act of 2012: H.R. 6060, to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019; **Pages H6074–75**

Mescalero Apache Tribe Leasing Authorization Act: H.R. 1461, amended, to authorize the Mescalero Apache Tribe to lease adjudicated water rights; **Pages H6075–76**

Allowing the Pascua Yaqui Tribe to determine the requirements for membership in that tribe: H.R. 3319, amended, to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe; **Page H6076**

Honoring the four United States public servants who died in Libya and condemning the attacks on United States diplomatic facilities in Libya, Egypt, and Yemen: H. Res. 786, to honor the four United States public servants who died in Libya and to condemn the attacks on United States diplomatic facilities in Libya, Egypt, and Yemen; **Pages H6076–79**

Countering Iran in the Western Hemisphere Act of 2012: H.R. 3783, amended, to provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere; **Pages H6079–83**

Agreed to amend the title so as to read: "To provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.". **Page H6083**

Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia: H. Res. 526, amended, to express the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders; **Pages H6083–86**

Confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions: H.R. 4158, to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions (agreed by unanimous consent that the previous ordering of the yeas and nays on the motion that the House suspend the rule and pass H.R. 4158 be vacated, to the end that the Chair put the question de novo); **Pages H6086–88, H6096–97**

Veterans Fiduciary Reform Act of 2012: H.R. 5948, amended, to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs; **Pages H6088–94**

Agreed to amend the title so as to read: "To amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, to establish a Place of Remembrance at Arlington National Cemetery, and for other purposes.". **Page H6094**

VA Major Construction Authorization and Expiring Authorities Extension Act of 2012: H.R. 6375, amended, to authorize certain Department of Veterans Affairs major medical facility projects and leases, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs; **Pages H6094–96**

Agreed to amend the title so as to read: "To authorize certain Department of Veterans Affairs major medical facility projects, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes.". **Page H6096**

Cutting Federal Unnecessary and Expensive Leasing Act of 2012: H.R. 6324, to reduce the number of nonessential vehicles purchased and leased by the Federal Government; **Pages H6097–99**

Buffett Rule Act of 2012: H.R. 6410, to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt; **Pages H6099–H6101**

Andrew P. Carpenter Tax Act: H.R. 5044, amended, to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans, by a ⅔ yea-and-nay vote of 400 yeas with none voting "nay", Roll No. 585; **Pages H6101–04, H6119–20**

FEMA Reauthorization Act of 2012: H.R. 2903, amended, to reauthorize the programs and activities of the Federal Emergency Management Agency; **Pages H6104–13**

Amending the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions: H.R. 5912, amended, to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction, by a ⅔ yea-and-nay vote of 310 yeas to 95 nays, Roll No. 586;

Pages H6113–15, H6120–21

Agreed to amend the title so as to read: "To amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions.". **Pages H6113, H6121**

Disaster Loan Fairness Act of 2012: H.R. 6296, amended, to amend the Small Business Act to provide the interest rate for certain disaster related loans; **Pages H6115–18**

Border Security Information Improvement Act of 2012: H.R. 6368, amended, to require the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence; **Pages H6118–19**

Agreed to amend the title so as to read: "To require the Department of Justice and the Department of Homeland Security to provide a joint report to Congress on the Departments' ability to track, investigate and quantify cross-border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence.". **Page H6119**

Vulnerable Veterans Housing Reform Act of 2012: H.R. 6361, amended, to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance;

Pages H6121–24

Providing flexibility with respect to United States support for assistance provided by international financial institutions for Burma: H.R. 6431, to provide flexibility with respect to United States support for assistance provided by international financial institutions for Burma;

Pages H6124–25

Amending the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors: H.R. 2827, amended, to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors; **Pages H6125–28**

Global Investment in American Jobs Act of 2012: H.R. 5910, amended, to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to produce a report on enhancing the competitiveness of the United States in attracting foreign direct investment; **Pages H6132–34**

Contaminated Drywall Safety Act of 2012: H.R. 4212, amended, to designate drywall manufactured in China a banned hazardous product; **Pages H6134–37**

Agreed to amend the title so as to read: "To prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.". **Page H6137**

Amending 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: H.R. 6163, amended, 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; **Pages H6138–40**

Taking Essential Steps for Testing Act of 2012: H.R. 6118, to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification;

Pages H6140–42

Veteran Emergency Medical Technician Support Act of 2012: H.R. 4124, amended, to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; and

Pages H6142–44

Pancreatic Cancer Research and Education Act: H.R. 733, amended, to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative. **Pages H6144–47**

Agreed to amend the title so as to read: "To provide for scientific frameworks with respect to recalcitrant cancers.". **Page H6147**

Making corrections with respect to Food and Drug Administration user fees: The House agreed to discharge from committee and pass H.R. 6433, to make corrections with respect to Food and Drug Administration user fees. **Pages H6137–38**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Manhattan Project National Historical Park Act: H.R. 5987, amended, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington. **Pages H6128–32**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H6119–20, H6120–21. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 10 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began a markup of H.R. 1206, the ''Access to Professional Health Insurance Advisors Act of 2011''; and H.R. 1063, the ''Strengthening Medicare and Repaying Taxpayers Act of 2011''.

EXAMINING THE ROLE OF RWANDA IN THE DRC INSURGENCY

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled ''Examining the Role of Rwanda in the DRC Insurgency''. Testimony was heard from public witnesses.

COAL MINER EMPLOYMENT AND DOMESTIC ENERGY INFRASTRUCTURE PROTECTION ACT; AND 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

Committee on Rules: Full Committee held a hearing on H.R. 3409, the ''Coal Miner Employment and Domestic Energy Infrastructure Protection Act''; and H.J. Res. 118 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. The Committee granted a closed rule for H.J. Res. 118. The rule provides one hour of general debate with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. The rule provides one motion to recommit. The resolution further provides a structured rule for H.R. 3409. The rule provides one hour of general debate with 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources, 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill. The rule makes in order an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–32 as original text for purpose of amendment and provides that it shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule makes in order only those amendments to H.R. 3409 printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. Section 3 of the rule provides that on any legislative day during the period from September 22, 2012 through November 12, 2012: (a) the Journal of the proceedings of the previous day shall be considered as approved; (b) the Chair may adjourn the House to meet at a date and time within the limits of clause 4, section 5, article I of the Constitution; and (c) bills and resolutions introduced shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred at a later time. Section 4 of the rule authorizes the Speaker to appoint Members to perform the duties of the Chair for the duration of the period addressed by section

3. Section 5 of the rule provides that each day during the period addressed by section 3 shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546). Section 6 of the rule provides that each day during the period addressed by section 3 shall not constitute a legislative day for purposes of clause 7 of rule XIII. Section 7 or the rule provides that each day during the period addressed by section 3 shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII (motions to instruct). Testimony was heard from Chairmen Camp, Kline, and Hastings (WA), and Representatives Levin, Andrews, Markey, Rush, Whitfield, Lankford, and Boswell.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 20, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment, to hold hearings to examine computerized trading, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine business practices in the household goods moving industry, 10 a.m., SR–253.

Committee on Environment and Public Works: to hold hearings to examine the ''Water Resources Development Act'', focusing on growing the economy and protecting public safety, 10 a.m., SD–406.

Committee on Finance: to hold a joint hearing with the House Committee on Ways and Means to examine tax reform and the tax treatment of capital gains, 10 a.m., HVC–210.

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine maritime territorial disputes and sovereignty issues in Asia, 2 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine pension modernization for a 21st century workforce, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine offshore profit shifting and the U.S. tax code, 2 p.m., SD–G50.

Committee on Indian Affairs: business meeting to consider S. 65, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians, S. 2024, to make technical amendment to the T'uf Shur Bien Preservation Trust Area Act, S. 3546, 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. 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; to be immediately followed by an oversight hearing to examine advancing the Federal-tribal relationship through self-governance and self-determination, 2:15 p.m., SD–628.

Committee on the Judiciary: business meeting to consider H.R. 2471, to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet, S. 3486, to implement the provisions of the Hague Agreement and the Patent Law Treaty, S. 1894, to deter terrorism, provide justice for victims, S. 3250, to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, S. 3523, Innovative Design Protection Act, and the nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, Department of Justice, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Homeland Security, hearing entitled ''Chemical Facility Anti-Terrorism Standards (CFATS) Program'', 10 a.m., 2359 Rayburn.

Subcommittee on Defense, hearing entitled ''Joint Improvised Explosive Device Defeat Organization'', 10 a.m., 2362–A Rayburn.

Committee on Armed Services, Full Committee, hearing on Department of Defense Plans for Sequestration: The Sequestration Transparency Act of 2012 Report and the Way Forward, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Higher Education and Workforce Training, hearing entitled ''Assessing College Data: Helping to Provide Valuable Information to Students, Institutions and Taxpayers'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Full Committee, continued markup of H.R. 1206, the ''Access to Professional Health Insurance Advisors Act of 2011''; and H.R. 1063, the ''Strengthening Medicare and Repaying Taxpayers Act of 2011'', 11:45 a.m., 2123 Rayburn.

Subcommittee on Energy and Power, hearing entitled ''The American Energy Initiative: A Focus on H.R. 6172'', 10 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''The Semi-Annual Report of the Consumer Financial Protection Bureau'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and South Asia, hearing entitled ''Safeguarding Israel's Security in a Volatile Region'', 1:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, hearing entitled ''The Department of Homeland Security: An Assessment of the Department and a Roadmap for its Future'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, hearing entitled ''Regulation Nation: The Obama Administration's Regulatory Expansion vs. Jobs and Economic Recovery'', 10 a.m., 2141 Rayburn.

Subcommittee on Intellectual Property, Competition, and the Internet, hearing entitled ''International IP Enforcement: Opening Markets Abroad and Protecting Innovation'', 2 p.m. 2141 Rayburn.

Committee on Oversight and Government Reform, Full Committee, business meeting to approve ''A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records''; and hearing entitled ''IG Report: The Department of Justice's Office of the Inspector General Examines the Failures of Operation Fast and Furious'', 9:30 a.m., 2154 Rayburn.

Subcommittee on Health Care, District of Columbia, Census and the National Archives; hearing entitled ''Examining the Administration's Failure to Prevent and End Medicaid Overpayments'', 2 p.m., 2154 Rayburn.

Subcommittee on National Security, Homeland Defense and Foreign Operations, hearing entitled ''SIGAR Report: Document Destruction and Millions of Dollars Unaccounted for at the Department of Defense, Part II'', 2 p.m., 2247 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Sequestration: The Threat to Small Businesses, Jobs, and the Industrial Base'', 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, hearing entitled ''A Review of Amtrak Operations, Part III: Examining 41 Years of Taxpayer Subsidies'', 9:30 a.m., 2167 Rayburn.

Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on H.R. 6430, the ''Public Buildings Reform Act of 2012'', 1:30 p.m., 2253 Rayburn.

Subcommittee on Coast Guard and Maritime Transportation, hearing entitled ''A Review of the Challenges Maintaining Legacy Assets Pose to United States Coast Guard Mission Performance'', 2 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing entitled ''Forty Years after the Clean Water Act: Is it Time for the States to Implement Section 404 Permitting?'', 10 a.m., 2253 Rayburn.

Committee on Veterans' Affairs, Full Committee, hearing entitled ''Veterans Affairs in the 112th Congress: Reviewing VA's Performance and Accountability'', 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing entitled ''Examining the Re-Design of the Transition Assistance Program (TAP)'', 2 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, hearing entitled ''Benefits of Expanding U.S. Services Trade Through an International Services Agreement'', 2 p.m., 1100 Longworth.

Joint Meetings

Joint Hearing: Senate Committee on Finance, to hold a joint hearing with the House Committee on Ways and Means to examine tax reform and the tax treatment of capital gains, 10 a.m., HVC–210.

Commission on Security and Cooperation in Europe: to hold hearings to examine Georgia's parliamentary election, focusing on how free and fair has the campaign been, and how the United States government should respond, including the election's fairness during the run-up to the vote and the vote count, human rights issues connected to the election, and United States policy in response, 12:30 p.m., 2255, Rayburn Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 20

Senate Chamber

Program for Thursday: The Majority Leader will be recognized. At 2 p.m., Senate will vote on the motion to proceed to consideration of H.J. Res. 117, Continuing Appropriations Resolution.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 20

House Chamber

Program for Thursday: Consideration of H.J. Res. 118—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 (Subject to a Rule). Begin consideration of H.R. 3409—Coal Miner Employment and Domestic Energy Infrastructure Protection Act (Subject to a Rule).

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