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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 27, 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.

PRAYER

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

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

You have blessed us with all good gifts, and this past week, with grateful hearts we gathered with family and loved ones throughout this great land to celebrate our blessings together.

Bless the newly elected Members of the 113th Congress who resume their orientation on Capitol Hill. Give them calm and confidence as they prepare for a new role as servants of our Nation's citizens.

Bless the Members of the people's House who have been entrusted with the privilege to serve our Nation and all Americans in their need. Grant them to work together in respect and affection, and to be faithful in the responsibilities they have been given.

As the end of the 112th Congress approaches and much is left to be done, bestow upon them all the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

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

THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 6063. An act to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

COMMUNICATION FROM THE HONORABLE NYDIA M. VELÁZQUEZ, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable NYDIA M. VELÁZQUEZ, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 15, 2012.

Hon. JOHN A. BOEHNER,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the Supreme Court of the State of New York, County of Kings in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

NYDIA M. VELÁZQUEZ,
Member of Congress.

PROUD OF UNIVERSITY OF SOUTH CAROLINA'S ARMY ROTC PROGRAM

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, The State newspaper reported that the University of South Carolina's Army ROTC program has been named one of the fastest growing programs in the country. Since the 2005 school year, the ROTC program has tripled in enrollment, placing it third in the Nation.

ROTC inspires leadership skills for bright young men and women, which promotes extraordinary opportunities for service. As a proud father of four sons currently serving in the military—three are Army ROTC graduates, including myself—I know firsthand how the knowledge learned through military service will positively promote a fulfilling life. I am very grateful for the dedication the instructors and cadets of the ROTC program have shown to our country and look forward to hearing of the program's great success in the future.

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

ENTITLEMENT REFORM

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

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Mr. KUCINICH. Entitlement reform 2012. Let's see. Wealthy Americans are entitled to tax breaks. Corporations are entitled to billions in giveaways. Arms manufacturers are entitled to bigger contracts. The poor and the middle class? Well, they're entitled to unemployment, underemployment, foreclosures, and cuts in both Social Security and Medicare.

Poor and middle class Americans know all about the fiscal cliff. They've been getting pushed off it for years with an unfair tax system, unconscionable trade deals, and the Fed's monetary policies.

Nearly 50 million people are in poverty in America, 12 million unemployed, millions more underemployed. On January 2, millions stand to lose unemployment benefits. Fourteen million Americans' mortgages are greater than the value of their homes.

On the horizon loom massive cuts to essential services. Will the American austerity replace the American Dream? We need to turn back from the fiscal cliff with wealth creation, education, job creation, infrastructure rebuilding, monetary reform, trade reform, and protection of Social Security and Medicare. We need a great economic revival, not another Great Depression.

HASHTAG: TERRORISTS

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

Mr. POE of Texas. Mr. Speaker, what do @HSMPress, @Alqassam Brigade, and @almanarnews all have in common? Here's a hint: HASHTAG: TERRORISTS.

That's right: foreign terrorist organizations like al-Shabaab, Hamas, and Hezbollah all use an American company—Twitter—to recruit other extremists. They spread their anti-American propaganda and preach violence and murder.

Hamas has over 42,000 followers. Their tweets have included everything from calls for jihad attacks to a ''new Holocaust.'' Isn't that lovely?

Mr. Speaker, the Supreme Court of the United States has ruled that when there is a ''broader strategy to promote terrorism,'' foreign terrorist organizations are not protected under free speech rights.

We should be doing everything we can to disarm our enemy, whether that means freezing their bank accounts or freezing their Twitter accounts. Allowing foreign terrorist organizations to freely operate on Twitter is enabling the enemy. The FBI and Twitter must recognize sooner, rather than later, that social media is a tool for the outlaw terrorists, and it has to stop.

And that's just the way it is.

DEMOCRACY IN THE REPUBLIC OF GEORGIA

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

Mr. DREIER. Mr. Speaker, as the Republic of Georgia deals with its first democratic transition of power, I spent the last few days speaking at length with President Saakashvili and the new Prime Minister Ivanishvili about the necessity to continue the pursuit of the rule of law.

Mr. Speaker, this is a critical moment for the Georgian people that could either put the country inexorably on the path of sustainable democracy or turn back the clock on the tremendous gains that have been made since the Rose Revolution. Mr. Speaker, the United States must remain engaged with the new government to promote continued democratic reform.

A robust democracy demands not only the ability of the majority party to advance its agenda, but also the preservation of the rights of the minority to raise questions and hold the government accountable.

Furthermore, prosecutions must be conducted in accordance with the rule of law, with full inquiries preceding arrests. Great diligence must be exercised to ensure that investigations are legitimate and not politically motivated.

I have urged and will continue to urge, Mr. Speaker, this new government to deliver on its campaign promises of continued democratic development and enhanced transparency.

□ 1410

RECOGNIZING A HOMETOWN HERO OF FRISCO, TEXAS

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

Mr. BURGESS. Today I rise to recognize a member of the Frisco City Council, Captain Tim Nelson. Although he was elected to the council more than 18 months ago, his dais seat has frequently been empty, but for a good reason.

Shortly after taking office, Captain Nelson received orders from the United States Army Reserve and was deployed to Afghanistan. During the past year, Captain Nelson was on the NATO military base with the 980th Engineer Battalion. As the unit's civil engineer, he oversaw construction projects ranging from roads to water crossings to intelligence.

While in Afghanistan, Captain Nelson carried a copy of the United States Constitution everywhere he went. His reason was, ''You don't always have to agree with the politics of the day. But truly, by the grace of God, we were born in America. And if you've been to enough places around the world, you'll know how lucky we really are and how wonderful a place we live in.''

While Captain Nelson was not able to be at council meetings, he was never forgotten. The opening of each council meeting included a prayer for his family and for his safe return home. He is home now; and he said, I'll ''do my best to pay them back for the time I was gone.''

On November 8, he returned back to Texas to his wife, Candice, and their three children.

Mr. Speaker, I am proud to recognize the service of a councilman of Frisco, Texas, Captain Tim Nelson.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1634

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 4 o'clock and 34 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. 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.

MANDATORY OPERATIONAL CONTROL REPORTING AND PERFORMANCE MEASURES ACT OF 2012

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6025) to provide for annual reports on the status of operational control of the international land and maritime borders of the United States and unlawful entries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6025

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 ''Mandatory Operational Control Reporting and Performance Measures Act of 2012''.

SEC. 2. ANNUAL REPORTS ON OPERATIONAL CONTROL OF INTERNATIONAL LAND AND MARITIME BORDERS.

(a) IN GENERAL.—The Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, as part of the Department of Homeland Security's Annual Performance Report, an annual report on the number of miles of the international land and maritime

border between the United States and Canada and the United States and Mexico that are under operational control of the Department, cumulatively and by sector.

(b) ESTIMATES OF UNLAWFUL ENTRIES.—Each report under subsection (a) shall include the estimated number of unlawful entries between ports of entry along the international land and maritime borders of the United States during the period covered by the report, determined using all available sources of data.

(c) INDEPENDENT EVALUATION.—The Secretary of Homeland Security shall make available to the Government Accountability Office the data and methodology used to compile the statistics used in preparing each report under subsection (a), to ensure the suitability and statistical validity of such data and methodology.

(d) TERMINOLOGY AND METHODOLOGY.—Except as provided in subsection (e), for purposes of consistent usage of terminology and methodology in the annual reports required under subsection (a), the Secretary of Homeland Security shall use the methodology used to measure such operational control in accordance with the Department's Annual Performance Reports for each of fiscal years 2008 through 2010.

(e) ALTERNATE TERMINOLOGY AND METHODOLOGY.—The Secretary of Homeland Security shall use the terminology and methodology described in subsection (d) until such time as an alternate terminology and methodology is—

(1) required by an Act of Congress; or

(2) certified as suitable and statistically valid by a Department of Energy National Laboratory with prior expertise in border security.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself as much time as I might consume.

Among the enumerated powers of the Constitution, providing for the common defense is, in my mind, the most important responsibility of this Congress. A key part of the common defense is ensuring that we secure our Nation's borders, and in the coming months, determining how to measure progress along the thousands of miles—north, south, and coastal—will be absolutely crucial.

H.R. 6025, the Mandatory Operational Control Reporting and Performance Measures Act of 2012, requires that the Department of Homeland Security resume reporting miles of the border under operational control and provide an estimate of the number of unlawful entries between ports of entry.

For years, we relied on operational control as a proxy for border security. It really became sort of the de facto term of art that indicated how much or how little of the border the Border Patrol could effectively control. But at last count, only 44 percent of the southwest border was under operational control, and less than 2 percent of the northern border was adequately secured.

I'm not quite sure how we can go from having less than half of the border under operational control to get to the current thinking that the border is more secure than ever, as the Secretary of Homeland Security has said, without having a legitimate way to measure border security.

In 2010, the Department of Homeland Security stopped reporting the number of miles of border under operational control with the promise of a new, more holistic measure of border security called the Border Condition Index. Nearly 3 years later, we're still waiting for the introduction of that measure without any idea if it will ever be used.

It's time for the Department to provide a suitable measure that adequately captures the security situation on the border, whether that is the Border Condition Index or something else. Until then, the Department should resume reporting miles under operational control.

To ensure that the numbers DHS gives us are sound, this bill, Mr. Speaker, requires that the Department give the Government Accountability Office access to the operational control numbers for third-party verification.

I fully understand that the leadership of the Department believes operational control, as it is currently configured, is not the right measure to describe security at the border. So I think we are all really open to new, more robust standards if it supplements operational control and better describes the level of security at our borders. But we can't just take this administration's word for it that the border is more secure than ever without some agreed upon standard.

To that point, I'm not sure that we should automatically assume that any new measure stacks up against operational control. With an issue this important, we can't just change the rules if we don't like the results.

Under this bill, the use of anything other than operational control to describe the security along the border must be vetted by a national laboratory with prior expertise in border security. Validation by a third party to ensure it accurately measures security along the border boils down to this: trust, but verify.

In testimony, the Government Accountability Office has been clear that the use of apprehensions of aliens at or near the border as a proxy for border security is, at best, incomplete. It tells us that we are catching lots of people, but it doesn't answer the most important question: How effective are we at keeping the drug cartels, human traffickers, and others from crossing our borders at will?

H.R. 6025 asks the Department to address this issue with an estimate of the number of unlawful entries between ports of entry so that the American people can put the apprehension numbers in the proper context and can stack apprehensions against the number of people who successfully cross the border illegally.

□ 1640

Mr. Speaker, the men and women of the U.S. Border Patrol and the U.S. Customs and Border Protection have a very difficult job, and I certainly want to thank them, as I'm sure we all do, for the very hard work that they do in some very demanding conditions to keep secure our Nation.

How we determine or measure what a secure border looks like has been the subject of a lot of debate, but the fact remains that the Congress and the American people should have a verifiable way to determine if we are making progress along the border.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 6025, the Mandatory Operational Control Reporting and Performance Measures Act of 2012, and I yield myself such time as I may consume.

The bill before the House today would require the Secretary of Homeland Security to report annually to the relevant congressional committee on the number of miles of our international land and maritime borders that are under operational control and, number two, the estimated number of unlawful entries between ports of entry along our international land and maritime borders.

The Department of Homeland Security already tracks much of this data, and I have no objections to it being provided to Congress in our effort to better secure our borders.

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

Mrs. MILLER of Michigan. Mr. Speaker, I thought I had another speaker, but I do not see him here. If the gentleman from Mississippi has no further speakers, I am prepared to close.

Mr. THOMPSON of Mississippi. I have no further speakers.

Mrs. MILLER of Michigan. Mr. Speaker, I would just ask my colleagues to support this legislation that moves us toward a more full understanding of the security situation along the border.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, as I have no further speakers, I yield back the balance of my time.

Mr. FLAKE. Mr. Speaker, I rise in support of H.R. 6025, a bill to require the Department of Homeland Security to resume reporting operational control as a measure of border security.

I thank the gentlelady from Michigan and her staff for working with me on this bill and for bringing it to the floor today.

As part of the 2004 Border Strategy, the Border Patrol has been reporting miles of the border under operational or effective control and included it in its annual performance reporting.

However, as of fiscal year 2010, the metric has no longer been reported, with the Department instead relying on reporting apprehensions which tell only a part of what's happening at the border and planning for the yet to be rolled out "Border Condition Index."

In fact, the Department's recently released 2012–2016 Border Strategy makes no reference to operational control or any other readily reportable metrics to evaluate border security.

Far be it from me to ascribe a motive to the situation the Administration has created regarding the border security metrics they are or are not employing, but it certainly looks like they would simply prefer to ignore data that doesn't support their "border is safer than ever" narrative.

Sadly, for those living in border communities, there is some daylight between that narrative and reality and for that reason I urged the Department to resume using operational control during this year's appropriations process.

In speaking with Arizonans making their living on the border, I continue to hear story after story of break-ins, run-ins with armed groups crossing the border, and other dangerous situations.

In recent days much has been made about apparent momentum that is building towards Congress finding solutions to the problems created by our broken immigration system.

I have said it before and I'll say it again: there is little hope of the American public—particularly in border communities—trusting the Federal Government to deal with the many pressing immigration issues if we cannot get it right when it comes to border security.

There is simply no tackling immigration reform without achieving operational control of our southern border, and the Federal Government can't achieve operational control if they can't define it.

This legislation is simple; it would direct the Department to resume reporting operational control exactly as they had been previously.

If Congress and the Administration are in indeed serious about getting about the business of addressing the issue of border security, the successful passage of this common-sense and noncontroversial bill is the least we can do

I urge adoption of H.R. 6025.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 6025, 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.

DHS ACCOUNTABILITY ACT OF 2012

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5913) to create an independent advisory panel to comprehensively assess the management structure and capabilities related to the Department of Homeland Security and make recommendations to improve the efficiency and effectiveness of the management of the Department, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5913

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 ''DHS Accountability Act of 2012''.

SEC. 2. FINDINGS.

Congress finds that the Subcommittee on Oversight, Investigations, and Management of the Committee on Homeland Security of the House of Representatives held a series of four hearings related to the management of the Department of Homeland Security. The key findings from such hearings were the following:

(1) The Department of Homeland Security has not prioritized the missions outlined in its key strategic planning documents. This lack of prioritization may hinder the Department's efforts to effectively manage risks to the United States. Since 2003, the Government Accountability Office designated the transformation of the Department as high risk because the Department had to transform 22 agencies—several with major management challenges—into one department, and failure to effectively address the Department's management and mission risks could have serious consequences to United States national and economic security. The Government Accountability Office continues to designate the transformation of the Department as high risk.

(2) The Department has considerable work ahead to achieve actions and outcomes critical to addressing persistent management challenges. For example, a significant number of acquisition programs proceeded without component or departmental approval of essential planning documents. These reviews are important to ensure the success of an acquisition program. The Department also continues to face challenges implementing key human capital initiatives. Integrating financial data essential to effectively managing the Department also remains a challenge.

(3) Areas of duplicative effort have also been identified within the Department. For example, some Federal Government agencies are paying fees to the Department's Federal Protective Service for facility risk assessments that are not being performed, while at the same time performing their own risk assessments. The Department also lacks robust acquisition practices in place to position programs for success. Federal Government auditors questioned U.S. Customs and Border Protection's plan to secure the Arizona border because the agency could not justify the specific types, quantities, cost, and deployment locations of its surveillance technologies.

(4) Investigators continue to identify cases of employee corruption within the Department. Investigations by the Department's Inspector General led to over 400 arrests of employees in 2011. Examples include Border Patrol agents accepting bribes, thefts by airport screeners, and immigration officers complicit in fraud. In addition, overall employee morale in the Department remains one of the lowest in the Federal Government.

SEC. 3. ESTABLISHMENT.

There is established in the legislative branch an independent advisory panel to—

(1) comprehensively assess the management structure and capabilities related to the Department of Homeland Security; and

(2) make recommendations to improve the efficiency and effectiveness of the management of the Department.

SEC. 4. MEMBERSHIP.

(a) IN GENERAL.—The independent advisory panel (in this Act referred to as the ''Panel'') established under section 3 shall be composed of eight members as follows:

(1) Two members shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on Homeland Security of the House of Representatives. Only one of such members may be from the same political party as the Speaker of the House of Representatives.

(2) Two members shall be appointed by the majority leader of the Senate, in coordination with the Chairman of the Committee on Homeland Security and Governmental Affairs of the Senate. Only one of such members may be from the same political party as the majority leader of the Senate.

(3) One member shall be appointed by the minority leader of the House of Representatives, in coordination with the Ranking Minority Member of the Committee on Homeland Security of the House of Representatives.

(4) One member shall be appointed by the minority leader of the Senate, in coordination with the Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs of the Senate.

(5) Two members shall be appointed by the President, in consultation with the Secretary of Homeland Security. Only one of such members may be from the same political party as the President.

(b) PROHIBITION.—Except as provided in subsection (a), members of the Panel may not be current appointees of the President's Administration or Members of Congress, in order to ensure objectivity of the Panel's assessments.

(c) DEADLINE FOR APPOINTMENTS.—All appointments to the Panel shall be made not later than 90 days after the date of the enactment of this Act.

(d) CO-CHAIRMEN.—The Panel shall have two co-chairmen, as follows:

(1) A co-chairman who shall be a member of the Panel designated by the Speaker of the House of Representatives.

(2) A co-chairman who shall be a member of the Panel designated by the majority leader of the Senate.

(e) VACANCY.—In the event of a vacancy on the Panel, the individual appointed to fill the vacant seat shall be—

(1) subject to paragraph (2), appointed by the same officer (or the officer's successor) who made the appointment to the seat when the Panel was first established; or

(2) if the officer's successor is of a party other than the party of the officer who made the initial appointment when the Panel was first established, chosen in consultation with the senior officers of the House of Representatives and the Senate of the party which is the party of the officer who made such initial appointment.

(f) GOVERNMENT EMPLOYEES.—Members of the Panel who are officers or employees of the Federal Government shall serve without additional pay (or benefits in the nature of compensation) for service as a member of the Panel.

(g) INITIAL MEETING.—The Panel shall meet and begin the operations of the Panel not later than 60 days after the appointment of all Panel members under subsection (a).

SEC. 5. DUTIES.

(a) IN GENERAL.—The Panel shall assess the current management structure and capabilities of the Department of Homeland Security, including examining the following:

(1) The efficiency and effectiveness of the management structure and capabilities, including the policies, practices, and procedures, of the Department of Homeland Security and its component agencies in carrying out the management functions, such as program acquisition, financial management, information technology, human capital issues, performance measurement, and risk management efforts, related to homeland security.

(2) The extent to which unnecessary duplication exists in such management structure and capabilities, and how, if at all, such duplication negatively affects the mission of protecting the United States.

(3) The extent to which management of key homeland security missions is centralized under the Department.

(4) Options, as appropriate, to reduce or eliminate harmful waste and duplication of effort in the Department.

(5) Measures to evaluate the Department's progress in reducing and eliminating waste and duplication from its management structure and capabilities.

(b) ADDITIONAL CONSIDERATIONS.—In carrying out its duties, the Panel should consult and leverage the work performed and recommendations made by the Government Accountability Office on the management structure and capabilities of the Department of Homeland Security, in particular with respect to the issues identified under subsection (a).

SEC. 6. POWERS AND AUTHORITIES.

(a) HEARINGS AND EVIDENCE.—

(1) IN GENERAL.—The Panel or, on the authority of the Panel, any portion thereof, may, for the purpose of carrying out this section—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths (provided that the quorum for a hearing shall be two members of the Panel); and

(B) subject to subsection (b), require by subpoena or otherwise provide for the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Panel, or such portion thereof, may determine advisable.

(2) OPEN TO THE PUBLIC.—Hearings and other activities conducted under paragraph (1) shall be open to the public unless the Panel, or, on the authority of the Panel, any portion thereof, determines that such is not appropriate, including for reasons relating to the disclosure of information or material regarding the national security interests of the United States or the disclosure of sensitive law enforcement data.

(b) SUBPOENAS.—

(1) ISSUANCE.—

(A) IN GENERAL.—A subpoena may be issued under this subsection only—

(i) by the two co-chairmen; or

(ii) by the affirmative recorded vote of six members of the Panel.

(B) SIGNATURE.—Subpoenas issued under this subsection may be—

(i) issued under the signature of the two co-chairmen or any member designated by a majority of the Panel; and

(ii) served by any person designated by the two co-chairmen or by any member designated by a majority of the Panel.

(2) ENFORCEMENT.—

(A) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as contempt of that court.

(B) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena, the Panel may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before a grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(c) PERSONNEL.—

(1) IN GENERAL.—The Panel shall have the authorities provided in section 3161 of title 5, United States Code, and shall be subject to the conditions specified in such section, except to the extent that such conditions would be inconsistent with the requirements of this section.

(2) COMPENSATION.—The co-chairmen, in accordance with rules agreed upon by the Panel, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Panel to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this paragraph may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) DETAILEES.—Any employee of the Federal Government may be detailed to the Panel without reimbursement from the Panel, and such detailee shall retain the rights, status, and privileges of the employee's regular employment without interruption.

(4) EXPERT AND CONSULTANT SERVICES.—The Panel is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(5) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Panel may accept and use voluntary and uncompensated services as the Panel determines necessary.

(d) SECURITY CLEARANCES.—The appropriate departments or agencies of the Federal Government shall cooperate with the Panel in expeditiously providing to the Panel members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this section without the appropriate security clearances.

(e) CONTRACTING.—The Panel may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Panel to carry out its duties under this Act.

(f) POSTAL SERVICES.—The Panel may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(g) SUPPORT SERVICES.—Upon request of the Panel, the Administrator of General Services shall provide the Panel, on a reimbursable basis, with the administrative support services necessary for the Panel to carry out its duties under this Act. Such administrative services may include human resource management, budget, leasing, accounting, and payroll services.

(h) RULES OF PROCEDURE.—The Panel may establish rules for the conduct of the Panel's business, if such rules are not inconsistent with this Act or other applicable law.

(i) NONAPPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Panel.

(j) TERMINATION.—The Panel shall terminate on the date that is 60 days after the date of the submission of its final report.

SEC. 7. REPORTS TO CONGRESS.

(a) INTERIM REPORT.—Not later than one year after the date of the appointment of all the members of the Panel, the Panel shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an interim report, including the results and findings of the assessment and examination carried out in accordance with section 5.

(b) OTHER REPORTS AND BRIEFINGS.—The Panel may from time to time submit to the committees specified in subsection (a) such other reports and briefings relating to the assessment and examination carried out in accordance with section 5 as the Panel considers appropriate. Such committees may request information on the Panel's progress as it conducts its work.

(c) FINAL REPORT.—Not later than two years after the date of the appointment of all the members of the Panel, the Panel shall submit to the committees specified in subsection (a) a final report on the assessment and examination carried out in accordance with section 5. Such final report shall—

(1) include the findings of the Panel;

(2) identify lessons learned related to homeland security management issues; and

(3) include specific recommendations related to—

(A) improving the efficiency and effectiveness of the management structure and capabilities, including the policies, practices, and procedures, of the Department of Homeland Security and its component agencies in carrying out the Department's management functions and mission to protect the United States;

(B) reducing or eliminating unnecessary duplication in the management structure and capabilities of the Department and its component agencies;

(C) options, as appropriate, to reduce or eliminate harmful waste and duplication of effort in the Department; and

(D) developing measures to evaluate the Department's progress in reducing and eliminating waste and duplication from its management structure and capabilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MCCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which 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 Texas?

There was no objection.

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

I rise today in support of the DHS Accountability Act of 2012.

Congress has an important opportunity to make the Department of Homeland Security a more effective and efficient organization. The purpose of this bipartisan legislation is to create an independent advisory panel to conduct a top-to-bottom examination of deficiencies in the Department's management structure and capabilities. It follows six subcommittee oversight hearings examining corruption, low morale, inefficiency, and waste of taxpayer dollars, and comes almost 10 years since the inception of DHS.

I appreciate the strong support of the ranking member of the Homeland Security Oversight Subcommittee, the gentleman from Massachusetts (Mr. KEATING), as an original cosponsor of this bill.

As the third largest Federal Department, DHS has more than 240,000 employees and an annual budget of $60 billion. It's transformation, according to the GAO, is critical to achieving its Homeland Security mission; however, excessive bureaucracy, waste, ineffectiveness, and lack of transparency have hindered its operations and wasted taxpayer dollars. Mismanagement at the Department is a threat to the security of our homeland.

Since 2003, GAO has designated the transformation of DHS has high risk because the Department had to transform 22 agencies, several with major management challenges, into one Department. Failure to effectively address the Department's management risks could have serious consequences. DHS remains on GAO's high-risk list. While GAO has conducted numerous audits of specific DHS programs, a comprehensive management assessment of the Department has yet to be conducted.

Our hearings and GAO findings conclude that DHS has made some progress but is still dysfunctional in several areas. The Department continues to face challenges in acquisition management, human capital, integration of financial data, and IT. In August, my subcommittee released a report outlining how the Department's management failures, related to a variety of acquisition programs, have wasted taxpayer dollars and had a serious impact on our ability to protect the homeland. The report's findings show why such a panel is needed to help fix the Department's shortcomings.

GAO's recent work also identified areas of duplicative effort. For instance, GAO found agencies are paying for risk assessments that are not being completed while simultaneously conducting their own assessments. Employee morale also remains one of the lowest in the Federal Government. Additionally, there are examples of Border Patrol agents accepting bribes, theft by airport screeners, and immigration officers complicit in fraud. These deficiencies cannot continue.

Based on the findings of these hearings and GAO reviews, I have doubts that the Department can carry out its core mission of protecting the homeland if the problems persist. These issues of corruption, waste, duplication, and abuse of power are all symptomatic of deeply rooted flaws in the Department's management. I believe it will take a dedicated team of independent investigators to identify the root causes and recommend concrete changes. A top-to-bottom management review is necessary because the current management team is not getting the job done.

The DHS Accountability Act of 2012, as amended, will create an independent eight-member advisory panel appointed by the legislative and executive branches to comprehensively assess DHS management structure and capabilities. It will require the panel to make recommendations to improve DHS's efficiency and effectiveness, and it will require an interim report sent to Congress 1 year after the panel's selection, with the final report due 2 years after its inception.

The panel will possess subpoena power, the authority to conduct hearings, and receive expert witness testimony. The panel's recommendations will help make DHS a leaner, smarter, and more effective organization and ferret out duplicative programs and offices.

Fellow Members, this legislation is our opportunity to take action, and I urge you to support the DHS Accountability Act of 2012.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5913, the DHS Accountability Act of 2012.

The bill before the House today would create an independent advisory panel to comprehensively assess and make recommendations regarding the management structure and capabilities of the Department of Homeland Security. While there is some question about whether this legislation is necessary, as similar independent initiatives are already underway, I appreciate the effort to improve the effectiveness of DHS's management and will not oppose the bill.

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

Mr. MCCAUL. Mr. Speaker, I urge Members to support this bill, and as I have no further speakers, I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 3 minutes to the ranking member of the Committee on Homeland Security Subcommittee on Oversight, Investigations, and Management, the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. Thank you, Ranking Member THOMPSON, for yielding your time and for your leadership on the Homeland Security Committee.

Mr. Speaker, I rise in support of H.R. 5913, the Department of Homeland Security Accountability Act of 2012.

As the ranking member for the Subcommittee on Oversight, Investigation, and Management, I was pleased to work with Chairman MCCAUL and serve as the original cosponsor of this measure.

I appreciate the bipartisan discussions that led to the introduction of the amended version we adopted at the subcommittee level, which is the version being considered today.

□ 1650

This bill goes to the heart of the subcommittee's mandate, which is to ensure the effective management of the Department of Homeland Security. Ensuring the effectiveness of the Department of Homeland Security is not a partisan matter, and it should serve as a priority as it is essential to our security and safety in this country.

Since its inception, the Department of Homeland Security has faced significant management challenges, many of which stem from the very nature of its creation, which was transforming 22 legacy agencies into one cohesive, unified department. To its credit, the Department has come a long way since its inception, but more work remains to be done.

The consideration of this bill comes at a time when Congress is examining cost-saving and revenue-generating measures to reduce our deficit while ensuring the safety and well-being of our citizens. There is no doubt that the Department is making positive strides and has clear plans in place to reduce duplicative efforts in the management area. For example, the Department's Efficiency Review Initiative, which was highlighted by Vice President BIDEN as a model for all Federal agencies, has resulted in more than $1 billion in DHS cost avoidances, including $180 million saved by consolidating duplicative software licensing agreements.

I am also pleased that the Secretary has advanced internal measures aimed at eliminating waste and fraud. Unfortunately, this does not change the fact that a number of DHS activities are still shared by other Federal agencies.

In March of 2011 and in February of 2012, the GAO identified six areas across DHS where overlap or potential unnecessary duplication exists. For example, when it comes to personnel background investigations, cybersecurity trainings, and the identification of fraudulent travel documents, the lines between multiple agencies remain blurred. Furthermore, despite its management strides, the Department has yet to fully address deficiencies in component operations that result in the wasting of funds. The Department's Federal Protective Service has received over $230 million from Federal agencies for risk assessments and security services, yet these agencies have not found the FPS's services adequate or satisfactory, so they perform their own assessments as well.

This bill will determine instances of waste and abuse through an independent advisory panel that will be

charged with two main responsibilities: to comprehensively assess the management structure and capabilities related to the Department and to make recommendations to improve the efficiency and effectiveness of the management of the Department. The legislation instructs the panel to examine five broad categories:

the efficiency and effectiveness of management structure and capabilities; whether unnecessary duplication exists; the extent to which management of key homeland security missions is centralized; waste and duplication.

Mr. Speaker, this bipartisan effort will comprise this panel's work through the course of this session, which has been extensive. I want to thank Chairman MCCAUL for his efforts in dealing with these issues. I want to thank him for the bipartisan cooperation that has been there on important issues of national security. I also want to thank the ranking member for yielding his time and for his leadership on the committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I am in support of this legislation, and I look forward to its adoption.

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. MCCAUL) that the House suspend the rules and pass the bill, H.R. 5913, 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.

JAIME ZAPATA BORDER ENFORCEMENT SECURITY TASK FORCE ACT

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 915) to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from transnational crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Jaime Zapata Border Enforcement Security Task Force Act''.

SEC. 2. FINDINGS AND DECLARATION OF PURPOSES.

Congress finds the following:

(1) The Department of Homeland Security's (DHS) overriding mission is to lead a unified national effort to protect the United States. United States Immigration and Customs Enforcement (ICE) is the largest investigative agency within DHS and is charged with enforcing a wide array of laws, including laws related to securing the border and combating criminal smuggling.

(2) Mexico's northern border with the United States has experienced a dramatic surge in border crime and violence in recent years due to intense competition between Mexican drug cartels and criminal smuggling organizations that employ predatory tactics to realize their profits.

(3) Law enforcement agencies at the United States northern border also face challenges from transnational smuggling organizations.

(4) In response, DHS has partnered with Federal, State, local, tribal, and foreign law enforcement counterparts to create the Border Enforcement Security Task Force (BEST) initiative as a comprehensive approach to addressing border security threats. These multi-agency teams are designed to increase information-sharing and collaboration among the participating law enforcement agencies.

(5) BEST teams incorporate personnel from ICE, United States Customs and Border Protection (CBP), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATFE), the Federal Bureau of Investigation (FBI), the United States Coast Guard (USCG), and the U.S. Attorney's Office (USAO), along with other key Federal, State and local law enforcement agencies.

(6) Foreign law enforcement agencies participating in BEST include Mexico's Secretaria de Seguridad Publica (SSP), the Canada Border Services Agency (CBSA), the Ontario Provincial Police (OPP), and the Royal Canadian Mounted Police (RCMP).

SEC. 3. BORDER ENFORCEMENT SECURITY TASK FORCE.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

"SEC. 432. BORDER ENFORCEMENT SECURITY TASK FORCE.

''(a) ESTABLISHMENT.—There is established within the Department a program to be known as the Border Enforcement Security Task Force (referred to in this section as 'BEST').

''(b) PURPOSE.—The purpose of BEST is to establish units to enhance border security by addressing and reducing border security threats and violence by—

''(1) facilitating collaboration among Federal, State, local, tribal, and foreign law enforcement agencies to execute coordinated activities in furtherance of border security, and homeland security; and

''(2) enhancing information-sharing, including the dissemination of homeland security information among such agencies.

''(c) COMPOSITION AND ESTABLISHMENT OF UNITS.—

''(1) COMPOSITION.—BEST units may be comprised of personnel from—

''(A) U.S. Immigration and Customs Enforcement;

''(B) U.S. Customs and Border Protection;

''(C) the United States Coast Guard;

''(D) other Department personnel, as appropriate

''(E) other Federal agencies, as appropriate;

''(F) appropriate State law enforcement agencies;

''(G) foreign law enforcement agencies, as appropriate;

''(H) local law enforcement agencies from affected border cities and communities; and

''(I) appropriate tribal law enforcement agencies.

''(2) ESTABLISHMENT OF UNITS.—The Secretary is authorized to establish BEST units in jurisdictions in which such units can contribute to BEST missions, as appropriate. Before establishing a BEST unit, the Secretary shall consider—

''(A) whether the area in which the BEST unit would be established is significantly impacted by cross-border threats;

''(B) the availability of Federal, State, local, tribal, and foreign law enforcement resources to participate in the BEST unit;

''(C) the extent to which border security threats are having a significant harmful impact in the jurisdiction in which the BEST unit is to be established, and other jurisdictions in the country; and

''(D) whether or not an Integrated Border Enforcement Team already exists in the area in which the BEST unit would be established.

''(3) DUPLICATION OF EFFORTS.—In determining whether to establish a new BEST unit or to expand an existing BEST unit in a given jurisdiction, the Secretary shall ensure that the BEST unit under consideration does not duplicate the efforts of other existing interagency task forces or centers within that jurisdiction.

''(d) OPERATION.—After determining the jurisdictions in which to establish BEST units under subsection (c)(2), and in order to provide Federal assistance to such jurisdictions, the Secretary may—

''(1) direct the assignment of Federal personnel to BEST, subject to the approval of the head of the department or agency that employs such personnel; and

''(2) take other actions to assist Federal, State, local, and tribal entities to participate in BEST, including providing financial assistance, as appropriate, for operational, administrative, and technological costs associated with the participation of Federal, State, local, and tribal law enforcement agencies in BEST.

''(e) REPORT.—Not later than 180 days after the date on which BEST is established under this section, and annually thereafter for the following 5 years, the Secretary shall submit a report to Congress that describes the effectiveness of BEST in enhancing border security and reducing the drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, as measured by crime statistics, including violent deaths, incidents of violence, and drug-related arrests.''.

(b) CLERICAL AMENDMENT.—The table of contents under section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101(b)) is amended by inserting after the item relating to section 431 the following:

''Sec. 432. Border Enforcement Security Task Force.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MCCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which 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 Texas?

There was no objection.

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

I rise today in support of H.R. 915, the Jaime Zapata Border Enforcement Security Task Force Act. This bill, which will codify Border Enforcement

Security Task Force units, was named to honor the memory of slain Immigration and Customs Enforcement Special Agent Jaime Zapata.

In 2011, Special Agent Zapata and his associate, Special Agent Victor Avila, were ambushed on a dangerous stretch of highway in Mexico by the ruthless Zeta drug cartel. The vehicle that the two special agents were traveling in was forced off the road by the heavily armed thugs. Once the vehicle had come to a stop, the cartel members forced the doors open, fired their weapons at point blank range, and tried to drag away Special Agent Zapata, who fought back and was able to re-lock the doors. Special Agent Zapata tried to explain to the men that he and Special Agent Avila were U.S. diplomats. The gunman responded to his plea with bullets. Special Agent Zapata then heroically drove himself and Special Agent Avila away from the scene and to safety.

Investigators later found more than 80 individual bullet casings at the scene of the crime. By nothing short of a miracle, Special Agent Avila survived the ordeal. However, Jaime Zapata did not.

Border Enforcement Security Task Force units are comprised of DHS and other Federal, State, and local law enforcement personnel. They coordinate efforts to enhance border security and they mitigate threats posed by transnational crime, drug trafficking, arms smuggling, illegal alien traffic, violence, and kidnappings. These units will leverage the experience of personnel from the United States Immigration and Customs Enforcement, the United States Customs and Border Protection, the United States Coast Guard, and other DHS components, as well as other Federal agencies, State, local, and tribal and, when appropriate, foreign law enforcement partners. With the increasing violence in Mexico and with the growing resourcefulness of vast criminal networks operating along the border, this type of interagency response is critical.

The men and women who have selflessly dedicated themselves to protecting our borders deserve this protection. Jaime Zapata paid the ultimate price, and I've made it a personal mission, along with my colleague from Texas (Mr. CUELLAR), to help ensure that no more brave men and women are lost to the violence along our southwest border. In addition to drug cartels freely moving across the border with drugs, cash, and weapons, the growing presence of Iran and Hezbollah in Latin America are also a threat. We do not have the luxury of sitting idly by while those looking to do us harm continue to enter the United States illegally.

I would like to thank my friend and colleague Representative CUELLAR for introducing this vitally important piece of bipartisan legislation. I would also like to thank Senators LIEBERMAN and COLLINS for taking action on this bill.

H.R. 915 honors Special Agent Jaime Zapata by making sure that those who serve as he did have the tools they need to secure the border.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of the Senate amendment to H.R. 915, the Jaime Zapata Border Enforcement Security Task Force Act, and yield myself such time as I may consume.

The bill before the House today would for the first time statutorily authorize an important border security program, the BEST program. Under BEST, ICE partners with Federal, State, local, and foreign law enforcement counterparts to establish targeted, cross-agency teams to identify, disrupt, and dismantle criminal organizations posing significant threats to border security. The program also serves as a model for interagency cooperation, coordination, and information sharing, which is vital in the post 9/11 environment.

I would note that it is appropriate that this bill is named in the memory of Jaime Zapata, an ICE special agent who was killed in the line of duty in Mexico while working as part of a BEST team.

H.R. 915 has enjoyed strong, bipartisan support in the House, passing with overwhelming support earlier this year, as well as in the Senate. Passage today will clear the bill for the President's signature.

I would like to commend the gentleman from Texas (Mr. CUELLAR) for his continued work on this important legislation and for being the sponsor of this legislation. The Committee on Homeland Security and Congress as a whole benefit from his commitment to border security matters.

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

□ 1700

Mr. MCCAUL. Mr. Speaker, I have no more speakers and I'm prepared close, so I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield such time as he may consume to the author of the underlying measure being considered, the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Speaker, I thank the ranking member, Mr. THOMPSON, for the leadership that he has provided on this piece of legislation and other legislation that is so important for the security of our Nation. I certainly want to thank also Chairman PETER KING and of course my good friend, MICHAEL MCCAUL, Chairman MCCAUL, for being one of the original cosponsors, along with BLAKE FARENTHOLD. We look forward to working with the folks on the border, including a new Member from the Brownsville area, Mr. Filemon Vela. Mr. MCCAUL and I have always worked in a very bipartisan way.

The Jaime Zapata bill, H.R. 915, has received bipartisan support. In May when it was first passed by the House, it was overwhelmingly supported by the House, both Democrats and Republicans. It went over to the Senate, and I want to thank also Senator LIEBERMAN and Senator COLLINS for their support of this bill. Senator LIEBERMAN was just outstanding in making sure that we moved this bill over here as quickly as possible.

We now have a bill here that does two things. The first thing, it enhances border security. Number two is to name this particular bill in honor of a brave individual, Jaime Zapata, who has given up his life. Some months ago, both Chairman MCCAUL and I had the opportunity to meet with the family, with the mother and father, of this strong hero that we got to know in the service of the line of duty.

As you know, ICE, Immigration and Customs Enforcement, in partnership with U.S. Customs and Border Protection, as well as other Federal, State, local and foreign law enforcement, has created the BEST initiative. By the way, the first BEST initiative was created in Laredo back in 2005, and it has become a model across the country. It is a comprehensive approach to identify, disrupt, and dismantle transnational criminal organizations that have posed significant threats to the border and maritime security.

Through investigations, seizures of contraband, arrests and prosecutions, the BEST units are building an impressive record of success. Today, there are 34 BEST units throughout the United States. They work not only with their Mexican counterparts, but also on the northern border with their Canadian counterparts. And certainly we want to make sure that Congress provides support to the BEST units in order to enhance border security in the communities that we all represent.

So, again, Members, I would ask that you all work and support this bill today, a very appropriate time as we had the new President-elect of Mexico who came down here and met with Members of Congress and I believe at this particular time he is meeting with the President right now, President Barack Obama, and we look forward to working with our Mexican counterparts. We need to make sure that we keep in mind that a secure, strong, prosperous Mexico is in the best interest of the United States. Mexico is not an enemy; it is a friend of the United States. And I think both BENNIE THOMPSON and MICHAEL MCCAUL have been down to the border. We understand that the Rio Grande does not divide us as two countries, but unites us together.

Also, to the family of Jaime Zapata, losing a son is very, very difficult. And, again, we want to thank the family for providing this strong hero. We can say Jaime Zapata was truly a hero of the United States. Mr. Speaker, I urge all of my colleagues to support this bill by voting ''aye'' on H.R. 915.

Mr. THOMPSON of Mississippi. Mr. Speaker, I urge my colleagues to support the Senate amendment to H.R. 915.

I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, just on a point of personal privilege, Mr. CUELLAR and I will be embarking at the end of this week to head down to Mexico City to the President of Mexico's inauguration. I agree with my colleague that our relationship with Mexico is vitally important and the idea that the BEST teams, Border Enforcement Security Teams, have provided an invaluable service on the border. In terms of confiscating cash and weapons going south into Mexico, they have been extremely successful; and if anything merits additional resources, it's this program. I can't think of a better program to name after Jaime Zapata.

I will also say that on the several occasions that I have met with Agent Avila and his family, it has been very emotional to see someone who has come back almost from an operation of war, if you will, who has been shot at by the Los Zeta cartel members, almost going through a PTSD-type situation, a very, very emotional experience; and I wish Agent Avila and his family the best in their recovery. He is a very brave, brave man and soldier. And also to the family of Jaime Zapata, we honor you today with this bill and please know that you are always in our thoughts and in our prayers.

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

Mr. THORNBERRY. Mr. Speaker, today I am supporting H.R. 915, the Jaime Zapata Border Enforcement Security Task Force Act. This measure would establish Border Enforcement Security Task Force (BEST) teams within the Department of Homeland Security (DHS) to facilitate "collaboration among federal, state, local, tribal, and foreign law enforcement agencies to execute coordinated activities in furtherance of border security, and homeland security" and enhance information sharing among the agencies.

This mission is a very important one. And I encourage DHS to consult with local and state law enforcement on how these teams could best be used to fill gaps in border security.

I am particularly concerned about a proposal to close several interior border patrol stations. As an example, from 2007 through 2011 Border Patrol agents assigned to the Amarillo station made from 383 to 745 apprehensions per year. Despite this volume, the Border Patrol proposed closing its Amarillo station—along with eight other interior stations, six of them in Texas. The absence of the Amarillo interior Border Patrol station would leave no federal agency for hundreds of miles to take custody of illegal aliens or to assist local law enforcement with investigations.

I do not know whether the BEST teams authorized in this measure could fulfill the responsibilities of the border patrol stations that are proposed for closure. But I strongly recommend that DHS continue to examine ways to ensure that this vital federal responsibility is fulfilled.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 915.

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. MCCAUL. 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.

MEDICAL PREPAREDNESS ALLOWABLE USE ACT

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5997) to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5997

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 "Medical Preparedness Allowable Use Act".

SEC. 2. USE OF CERTAIN HOMELAND SECURITY GRANT FUNDS FOR ENHANCING MEDICAL PREPAREDNESS, MEDICAL SURGE CAPACITY, AND MASS PROPHYLAXIS CAPABILITIES.

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (a), by redesignating paragraphs (10) through (13) as paragraphs (11) through (14), respectively, and by inserting after paragraph (9) the following:

"(10) enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities, including the development and maintenance of an initial pharmaceutical stockpile, including medical kits, and diagnostics sufficient to protect first responders, their families, and immediate victims from a chemical or biological event;"; and

(2) in subsection (b)(3)(B), by striking "(a)(10)" and inserting "(a)(11)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which 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 Florida?

There was no objection.

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

Mr. Speaker, I rise to support H.R. 5997, the Medical Preparedness Allowable Use Act, a bipartisan bill which amends the Homeland Security Act of 2002 to make it clear that grant funds under the State Homeland Security Grant Program and the Urban Area Security Initiative may be used to enhance medical preparedness and purchase medical countermeasures.

I introduced H.R. 5997 after a series of hearings on medical countermeasures in the Committee on Homeland Security's Subcommittee on Emergency Preparedness, Response, and Communications. At these hearings, we received testimony from representatives of the emergency response community on the importance of stockpiling medical countermeasures in the event of a WMD attack. This includes pre-deployed medical kits for first responders and their families, similar to those provided to postal workers participating in the national U.S. Postal Medical Countermeasures Dispensing Pilot Program.

The grant guidance for the State Homeland Security Grant Program and the Urban Area Security Initiative currently permits this funding to be used to procure medical countermeasures and for other medical preparedness and medical surge capacity equipment and activities. However, this guidance is developed on an annual basis, and there is no guarantee that these uses will be authorized in the future.

□ 1710

To be clear, this bill does not create a new grant program or authorize new funding. It simply ensures that these activities will remain allowable uses under SHSGP and UASI.

As the WMD Commission noted in its report, Mr. Speaker, "World at Risk," it is more likely than not that there will be a weapon of mass destruction used someplace on Earth by a terrorist group before the end of the year 2013, and it's more likely that this weapon will be biological, rather than nuclear.

The expenditures authorized and codified by the bill we are considering today can make a difference in the protection of the public, including emergency responders, in the event of such an attack, and there should be no doubt that grant funding may be used to support them now and in the future.

As the chairman of the Subcommittee on Emergency Preparedness, Response and Communications, I consistently find myself in awe of our first responders and the sacrifices that they make on behalf of our public. In the wake of events such as Hurricane Sandy, I am committed to ensuring Congress does all that it can to support those brave men and women, Mr. Speaker.

I am pleased that this legislation is supported by the Emergency Services Coalition on Medical Preparedness, which works to ensure that we protect the protectors.

I reserve the balance of my time.

EMERGENCY SERVICES COALITION
FOR MEDICAL PREPAREDNESS,
Falls Church, VA, November 19, 2012.

Hon. GUS BILIRAKIS,
Chairman, Subcommittee on Emergency Preparedness, Response, and Communications, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR CHAIRMAN BILIRAKIS: The Emergency Services Coalition for Medical Preparedness is pleased to support H.R. 5997 and the proposed amendment of the Homeland Security Act of 2002. The need for home and workplaces of medical caches to protect the emergency services providers in the nation remains high. Recent reports for the congressionally-chartered WMD Commission emphasize the continuing threat posed by biological weapons. Ensuring a resilient emergency services sector is an imperative for a superior response, a major part of this planning is the provision of Medkits pre-event to these professionals.

Emergency services professionals have unique roles, and are expected to serve and protect even in dangerous circumstances. Having responsible pre-event protections in place is necessary to ensure they can carry out this role. Individual physician-based prescription efforts have provided protection to hundreds of postal employees and federal employees, but not the millions of protectors and their families. Your bill addresses this gap.

We look forward to working with you and your staff in the passage of the Bill. Thank you for your leadership and continuing support in ''protecting the protectors.''

Sincerely,

TIM STEPHENS,
Advisor.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 5997, the Medical Preparedness Allowable Use Act, and yield myself such time as I may consume.

Mr. Speaker, although I support H.R. 5997, it is not without reservation and concern about the reduced funding this Congress has allocated to important Homeland Security Grant Programs over the past few years. Due to significantly diminished appropriations for the Homeland Security Grant Program, important targeted grant programs such as the Metropolitan Medical Response System were consolidated into larger umbrella grant programs, such as the Urban Area Security Initiative and the State Homeland Security Grant Program in FY 2012.

I'm concerned that Congress' failure to specify a funding allocation for the Metropolitan Medical Response System sends the message that medical preparedness is no longer a priority.

H.R. 5997 authorizes the use of funding awarded under the Urban Area Security Initiative and the State Homeland Security Grant Program to enhance medical preparedness, medical surge capacity, and mass distribution of medical countermeasures. All of these activities would have been eligible under H.R. 1411, the Metropolitan Medical Response Systems Program Act of 2011.

H.R. 1411, which would have authorized the Metropolitan Medical Response System, was introduced by Representative BILIRAKIS and was marked up by the Subcommittee on Emergency Preparedness, Response and Communications last year. I would rather be standing here today in support of H.R. 1411, which would send a clear message that medical preparedness is a priority for this Congress.

That said, I will support H.R. 5997 because I understand that grant resources are limited and that State and local governments must have the flexibility to utilize the scarce resources available to improve medical preparedness.

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

Mr. BILIRAKIS. Mr. Speaker, I have no other speakers. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, despite my reservations regarding this measure, I encourage my colleagues to support H.R. 5997, and I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Ranking Member, we'll continue to work on getting that bill passed. I promise you. That's my bill, and we worked very hard. As you said, it was marked up in committee, and we'll continue to advocate on behalf, of course, of the MMRS grant program.

Mr. Speaker, I once again urge Members to support this very important bill that ensures medical preparedness activities remain an allowable use under Homeland Security Grant Programs.

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. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 5997, 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. THOMPSON of Mississippi. 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, and the Chair's prior announcement, further proceedings on this question will be postponed.

CLOTHE A HOMELESS HERO ACT

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6328) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6328

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 ''Clothe a Homeless Hero Act''.

SEC. 2. DISPOSITION OF UNCLAIMED CLOTHING RECOVERED AT AIRPORT SECURITY CHECKPOINTS.

(a) IN GENERAL.—Section 44945 of title 49, United States Code, is amended—

(1) in the section heading, by inserting ''**and clothing**'' after ''**money**'';

(2) by inserting before the text the following: ''(a) DISPOSITION OF UNCLAIMED MONEY.—''; and

(3) by adding at the end the following:

''(b) DISPOSITION OF UNCLAIMED CLOTHING.—

''(1) IN GENERAL.—In disposing of unclaimed clothing recovered at any airport security checkpoint, the Assistant Secretary shall make every reasonable effort, in consultation with the Secretary of Veterans Affairs, to transfer the clothing to local veterans organizations or other local charitable organizations for distribution to homeless or needy veterans and veteran families.

''(2) AGREEMENTS.—In implementing paragraph (1), the Assistant Secretary may enter into agreements with airport authorities.

''(3) OTHER CHARITABLE ARRANGEMENTS.—Nothing in this subsection shall prevent an airport or the Transportation Security Administration from donating unclaimed clothing to a charitable organization of their choosing.

''(4) LIMITATION.—Nothing in this subsection shall create a cost to the Government.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 449 of such title is amended by striking the item relating to such section and inserting the following:

''44945. Disposition of unclaimed money and clothing.''.

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

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

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

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

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, as vice chairman of the Veterans' Affairs Committee and a senior member of the Committee on Homeland Security, I rise in support of H.R. 6328, again, a bipartisan bill, a bill sponsored by my colleague, Ms. HOCHUL, the Clothe a Homeless Hero Act.

According to estimates from the Department of Housing and Urban Development, in 2011 approximately 14 percent of all homeless adults were veterans, with more than 67,000 veterans homeless on any given night—unacceptable.

We must do all that we can to ensure that the veterans who have courageously served our country are not forgotten and are receiving the care and services they deserve. VA Secretary Eric Shinseki has set a laudable goal of

ending veterans' homelessness by 2015 and has established partnerships with other Federal agencies, such as HUD, to accomplish it.

The bill before us today will forge another important partnership in our efforts to serve homeless veterans, one with the Transportation Security Administration. Each day, as Americans travel through screening checkpoints operated by TSA at our Nation's airports, many articles of clothing are left behind. In fact, TSA reports that they collect between 500 and 1,000 garments per day.

H.R. 6328 directs the TSA Administrator to make every reasonable effort to donate this unclaimed clothing to local organizations that serve homeless or needy veterans.

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

Ms. HOCHUL. Mr. Speaker, I rise in strong support of H.R. 6328, the Clothe a Homeless Hero Act, and yield myself such time as I may consume.

Mr. Speaker, I just flew in from the Buffalo airport, and there was a dusting of snow on the ground. I'm sure my colleague from Florida did not have a similar experience, but it bodes poorly for the veterans who are going to be spending the nights on the streets of Buffalo and other cold places. As the weather starts to change, it's something that's very hurtful to see, as an American, and to know that there are veterans who put on their uniform and went overseas to fight and protect all of us, and to know that 20,000 recently returning veterans from Iraq and Afghanistan will find themselves homeless tonight.

□ 1720

That is a national disgrace. As all of us rush through airports every week along with many thousands of Americans, it's not uncommon for scarves and hats and other articles of clothing to be inadvertently left behind at TSA checkpoints. In fact, I, myself, left a scarf behind, which prompted my thoughts of how we could handle this surplus clothing. It adds up to thousands of pounds of abandoned clothes annually. There can be no better purpose than for this unclaimed clothing to help America's homeless veterans.

Homelessness has gone on the rise among our veterans. This is absolutely an unconscionable, untenable situation. As a country, we have a moral obligation to do so much more to eradicate this untenable situation. And I know that in a bipartisan way this is one step toward that effort. Even if one of our veterans stays warm this winter because of the clothing provided through this legislation, it would have been well worth the effort.

The Clothe a Homeless Hero Act directs the TSA to make every reasonable effort to transfer unclaimed clothing to local veterans organizations or other local charitable organizations for distribution to homeless veterans and their dependents. Nothing in this bill prevents airports or the TSA from donating these items to charities of their choosing if they already have relationships in place. And most importantly, this legislation would not create a cost to the government.

When I offered this proposal in the Committee on Homeland Security, I was so grateful that it received unanimous, bipartisan support from all my colleagues. I thank the overall committee chairman, Mr. PETER KING, Ranking Member THOMPSON, members of the Committee on Homeland Security, and Subcommittee Chairman Mr. BILIRAKIS for all their support.

I urge all of our colleagues to join us in advancing this simple, deficit-neutral bill to assist the heroes who once wore the uniform and have fallen on hard times and need this clothing.

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

Mr. BILIRAKIS. Mr. Speaker, I have no further requests for time. If the gentlewoman from New York has no further speakers, I am prepared to close.

Ms. HOCHUL. Mr. Speaker, as you've heard, H.R. 6328 enjoys bipartisan support of the members of the Committee on Homeland Security and deserves the full support of the House today. I think this is an important step we take, particularly with the holiday season approaching, cold weather approaching, and it's a small step that we can take to help these veterans who were heroes at one time and now need the help of all of us as American citizens.

I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I urge Members to support this legislation and, in turn, support homeless veterans.

I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in strong support of H.R. 6328, the "Clothe a Homeless Hero Act."

At the outset, I would like to commend Representative HOCHUL, the author of H.R. 6328, for her tireless work on behalf of her constituents, our veterans and for her service on the Committee on Homeland Security.

Since she joined the Committee, I have watched as Representative HOCHUL worked to identify bipartisan solutions to our Nation's problems.

H.R. 6328 is the byproduct of her collaborative and thoughtful approach.

This measure requires TSA to make every reasonable effort to transfer unclaimed clothing recovered at airport security checkpoints so that it can get to needy veterans and their families.

One of the unfortunate realities we face following times of war is that some of those who fought for our freedoms face challenges in transitioning to civilian life.

We owe it to our veterans to do all that we can to ensure they get the helping hand needed to get back on their feet when they return from the battlefield.

Thanks to Representative HOCHUL's leadership, the House has an opportunity today to take a small, but important, step in support of our veterans by supporting this bill.

Mr. Speaker, as you have heard, H.R. 6328 enjoys the bipartisan support of the Members of the Committee on Homeland Security and deserves the support of the Full House today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 6328.

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.

HOUR OF MEETING ON TOMORROW

Mr. BILIRAKIS. I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow.

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

There was no objection.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 21, 2012.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol, Washington, DC.

MR. SPEAKER: In 1995 when I was first elected to the House of Representatives I came to Washington with a singular purpose—to serve the constituents of the Second District of Illinois. During that time for seventeen years I have traveled on a journey with the citizens of the Second District of Illinois, and with their unwavering support we have worked together to transform what was once an underdeveloped and nearly forgotten South Side of Chicago.

Along this journey we have accomplished much. We have built new train stations, water towers, and emergency rooms. We have brought affordable housing, community centers and healthcare clinics to those who needed it most. In all, nearly a billion dollars worth of infrastructure and community improvement has been made on the South Side of Chicago and thousands of new jobs have been created. We began this journey by promising fresh water for the people of Ford Heights and a new airport that would employ upon completion 300,000 people. Today the people of Ford Heights have fresh water and sitting on the Governor's desk is a $400,000,000 proposal for an airport that will cost the taxpayers nothing and only awaits the Governor's commitment to build it. And while our journey to strengthen our communities and provide a better future for our children will continue, I know that together we have made the Second District of Illinois a better place.

For seventeen years I have given 100 percent of my time, energy, and life to public service. However, over the past several months, as my health has deteriorated, my ability to serve the constituents of my district has continued to diminish. Against the recommendations of my doctors, I had hoped and tried to return to Washington and continue working on the issues that matter most to the people of the Second District. I know now that will not be possible.

The constituents of the Second District deserve a full-time legislator in Washington, something I cannot be for the foreseeable future. My health issues and treatment regimen have become incompatible with service in the House of Representatives. Therefore, it is with great regret that I hereby resign as a member of the United States House of Representatives, effective today, in order to focus on restoring my health.

During this journey I have made my share of mistakes. I am aware of the ongoing federal investigation into my activities and I am doing my best to address the situation responsibly, cooperate with the investigators, and accept responsibility for my mistakes, for they are my mistakes and mine alone. None of us is immune from our share of shortcomings or human frailties and I pray that I will be remembered for what I did right. It has been a profound honor to serve the constituents of Illinois's Second Congressional District and I thank them for their patience, words of support and prayers during what has been, and what will continue to be a very trying time for me and my family.

I also thank my colleagues and staff for supporting me and the citizens of my district over the past several months. I am proud to have worked alongside each of them over these many years. I know that our work and accomplishments will have a lasting positive impact on our community and our nation.

With optimism and hope I look forward to the day when my treatment is complete and my health improves. I will truly miss serving as a Member of Congress and I will never be able to fully express my gratitude to the people of Chicago, and her Southland for granting me the opportunity to serve them for 17 wonderful years.

Sincerely,

JESSE JACKSON, Jr.,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 21, 2012.

Governor PAT QUINN,
James A. Thompson Building,
Chicago, IL.

MR. GOVERNOR: In 1995 when I was first elected to the House of Representatives I came to Washington with a singular purpose—to serve the constituents of the Second District of Illinois. During that time for seventeen years I have traveled on a journey with the citizens of the Second District of Illinois, and with their unwavering support we have worked together to transform what was once an underdeveloped and nearly forgotten South Side of Chicago.

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Sincerely,

JESSE JACKSON, Jr.,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Illinois (Mr. JACKSON), the whole number of the House is 433.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 27 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 6 o'clock and 30 minutes p.m.

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. 5997, by the yeas and nays; and concurring in the Senate amendment to H.R. 915, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

MEDICAL PREPAREDNESS ALLOWABLE USE ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5997) to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities, 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 Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 397, nays 1, not voting 34, as follows:

[Roll No. 609]

YEAS—397

Ackerman	Canseco	Dent
Adams	Cantor	DesJarlais
Aderholt	Capito	Deutch
Akin	Capps	Diaz-Balart
Alexander	Capuano	Doggett
Altmire	Carnahan	Dold
Amodei	Carney	Donnelly (IN)
Andrews	Carson (IN)	Doyle
Baca	Carter	Dreier
Bachmann	Cassidy	Duffy
Bachus	Castor (FL)	Duncan (SC)
Baldwin	Chabot	Duncan (TN)
Barletta	Chaffetz	Edwards
Barrow	Chandler	Ellison
Barton (TX)	Chu	Ellmers
Bass (CA)	Cicilline	Emerson
Bass (NH)	Clarke (MI)	Engel
Becerra	Clarke (NY)	Eshoo
Benishek	Clay	Farenthold
Berg	Cleaver	Farr
Berkley	Clyburn	Fincher
Berman	Coble	Fitzpatrick
Biggert	Coffman (CO)	Flake
Bilbray	Cohen	Fleischmann
Bilirakis	Cole	Fleming
Bishop (GA)	Conaway	Flores
Bishop (UT)	Connolly (VA)	Forbes
Black	Conyers	Fortenberry
Blackburn	Cooper	Foxx
Blumenauer	Costa	Frank (MA)
Bonamici	Costello	Franks (AZ)
Bonner	Courtney	Fudge
Boren	Cravaack	Garamendi
Boswell	Crawford	Gardner
Boustany	Crenshaw	Garrett
Brady (PA)	Critz	Gerlach
Brady (TX)	Crowley	Gibbs
Braley (IA)	Cuellar	Gibson
Brooks	Culberson	Gingrey (GA)
Broun (GA)	Cummings	Gohmert
Buchanan	Curson (MI)	Gonzalez
Bucshon	Davis (CA)	Goodlatte
Buerkle	Davis (IL)	Gowdy
Burgess	DeFazio	Granger
Burton (IN)	DeGette	Graves (GA)
Butterfield	DeLauro	Graves (MO)
Calvert	DelBene	Green, Al
Camp	Denham	Green, Gene

Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Marchant
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
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 (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
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)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—1

Amash

NOT VOTING—34

Austria
Barber
Bartlett
Bishop (NY)
Bono Mack
Brown (FL)
Campbell
Dicks
Dingell
Fattah
Filner
Frelinghuysen
Gallegly
Gosar
Gutierrez
Holden
Johnson (IL)
Langevin
Lipinski
Mack
Manzullo
Marino
McCaul
Murphy (CT)
Pence
Rehberg
Rivera
Ross (AR)
Roybal-Allard
Sanchez, Loretta
Stark
Towns
Watt
Young (FL)

□ 1853

Ms. CLARKE of New York, and Messrs. THOMPSON of Pennsylvania and TIBERI changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 609, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. LANGEVIN. Mr. Speaker, on rollcall 609, H.R. 5997, as amended, I was unavoidably detained and missed the vote. Had I been present, I would have voted "yea."

JAIME ZAPATA BORDER ENFORCEMENT SECURITY TASK FORCE ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 915) to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from transnational crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and concur in the Senate amendment.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 4, not voting 31, as follows:

[Roll No. 610]

YEAS—397

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
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 (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
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Crowley
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
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DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
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Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
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Harper
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Hartzler
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Hayworth
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Huizenga (MI)
Hultgren
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Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Marchant
Markey
Massie
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 (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
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Rehberg
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Reyes
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Roby
Roe (TN)
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Rogers (MI)
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Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)

Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—4

Amash
Gohmert
Kucinich
Paul

NOT VOTING—31

Austria
Barber
Bartlett
Bono Mack
Brown (FL)
Campbell
Dicks
Dingell
Filner
Frelinghuysen
Gallegly
Gosar
Gutierrez
Hochul
Holden
Johnson (IL)
Lipinski
Mack
Manzullo
Marino
Murphy (CT)
Pence
Rigell
Rivera
Ross (AR)
Roybal-Allard
Sanchez, Loretta
Stark
Towns
Watt
Young (FL)

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 610, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

□ 1910

CHAIRMAN HALL

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

Mr. PALAZZO. Mr. Speaker, it is an honor to stand before you today to recognize Chairman HALL and his work as the oldest serving Member of Congress.

Over the last 2 years, I've had the honor of serving with Chairman HALL on the Science, Space, and Technology Committee. Chairman HALL has been an inspiration and a mentor to me in those 2 years. He has been a crucial force in keeping NASA on track and for pushing for a strong American space program. We've had the opportunity to work on space bills, such as the recent indemnification extension and the NASA artifacts bill that passed unanimously back in September.

Another reason I admire Chairman HALL is that he never forgets those back home whom he represents. He doesn't want anyone else to forget either. He's a Texan through and through. Chairman HALL always tells me that he is willing to forgive people who aren't from Texas. Fortunately, he has been especially good to me, and that's probably because I married a Texan myself.

Finally, Chairman, I know at your age you don't like the word ''final''; but in closing, I just want to say the no-nonsense way you've led the Science, Space, and Technology Committee, the way you've put good policy and people above politics—all without compromising your principles—is the kind of leadership we need. That's the kind of leader you are, and that's the kind of leader we should all strive to be.

So, today, I thank you for your many years of service, for your model of leadership, and for being so kind to all of those Members who aren't from Texas.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WEBSTER). Members are reminded to direct their remarks to the Chair.

OUR FRIEND, RALPH HALL

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

Ms. JACKSON LEE of Texas. Mr. Speaker, today is a good day. We get to honor a great and magnificent American—my friend, our friend, RALPH HALL.

In the moments and minutes and hour to come, there will be many who will rise to recognize the extraordinary public service, but I want to add, in addition to the extraordinary public service, a man who has seen numbers of Presidents. As an American who has worked, spoken and achieved under all of them, RALPH HALL today reigns as both the oldest Member of Congress and the oldest House Member known to cast a vote on the House floor.

But that is not his only definition, for he is one who has a heart and who recognizes the value of service to the American people.

Oh, he loves his great State of Texas. He is truly a tall Texan. He is a faithful public servant who has dedicated 32 years of service to representing the constituents of the Fourth Congressional District; but he started his life by the service to the United States in the United States military—in the United States Navy. Yes, 1942.

So he has seen this Nation in her ups and her downs, but RALPH HALL has never been down. What a great leader of the Science, Space, and Technology Committee. What an opportunity to serve with him. What a servant as he worked with Presidents like Lyndon Baines Johnson, making difficult and tough decisions—not a partisan but a lover of America.

Yes, I can stand here today and say not only is this great hero and American and Member of the United States Congress—young in age but old in numbers—wise, dedicated, but I can also say that he is a lover of his family: his late wife, his grandchildren, his children. I was able to join him at a time when he had to visit a grandchild. I was glad to be able to have RALPH in our city, not for the cause that he was, but to be able to say, RALPH, you're a friend, and we stand with you during this time.

Mr. Speaker, I rise today to pay tribute to an American hero and also to a friend and a great leader on this floor, someone from whom I wish years and years and years of service. As a fellow Texan, I join my Texans and others to say, Thank you, RALPH HALL, for the friendship, the leadership, the courage—and, yes, you are an American hero.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

RALPH HALL

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to honor my friend RALPH HALL.

I came to this great House as a result of the election in 2010 and was privileged to be assigned to the Science, Space, and Technology Committee. The chairman was RALPH HALL. Chairman HALL showed me kindness. I went to his office. He showed me the corsairs that he flew in World War II. He told me stories about playing baseball with Ted Williams in the Navy in World War II.

Truly, this is a great man.

He has shown both sides of the aisle fairness and compassion in his service as chairman, and he has mentored me. More importantly, when I asked him to come to my beloved city of Oak Ridge, Tennessee, he came and visited our great national lab there.

I honor Chairman HALL today, and I thank him for his great service to this House as chairman and as my friend.

A TALL TEXAN AMERICAN HERO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. SMITH 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 to submit extraneous materials for the RECORD on the topic of this Special Order.

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, the purpose of tonight's Special Order is to celebrate our friend and colleague RALPH HALL's distinguished service in Congress. If there were a congressional hall of fame, tonight would be Representative HALL's induction as the

oldest—some would say the most seasoned—voting Member in the House of Representatives.

As Members of Congress, we have the distinct honor of serving the American people. Each day as a Representative can be both challenging and rewarding; and though we sometimes make headlines, we do not always make history.

□ 1920

That is why today is especially important. Today is a day for the history books. After 32 years of service, Congressman RALPH HALL today became the eldest Member of Congress to cast a vote in the House of Representatives. And on Christmas Day of this year, Representative HALL will become the oldest Member of the House to have ever served in our Nation's history.

They say that with age comes wisdom. So Congressman HALL may also be the wisest man to have served in the House of Representatives. They also say that some things get better with age. In Representative HALL's case, his commitment to both his country and his constituents just continues to increase.

Since he was 19 years old, RALPH HALL has led a life of service for which we can all be grateful. As a lieutenant in the Navy during World War II, Chairman HALL served as a pilot, and since then he has never hesitated to accomplish a mission.

In fact, he recently was back up in the air. Following the lead of another great Texan, President George H.W. Bush, RALPH HALL parachuted out of an airplane this past August, proving that he's never afraid to jump right in.

That mentality has made him a distinguished Member of Congress and a very effective chairman of the Science, Space, and Technology Committee. Congressman HALL represents the Fourth District of Texas, which has only elected three Members of Congress in the last 100 years. His constituents back in northeast Texas are accustomed to electing strong leaders and keeping them there.

It was 100 years ago this month that his district elected a young farmer turned State representative named Sam Rayburn, who went on to serve in the House for the next half century. RALPH HALL knew and worked with Sam Rayburn early in his career when RALPH HALL was a county judge. He was elected to that position while he was still in law school.

Earlier today, we had the privilege of unveiling a new portrait memorializing Representative HALL's tenure as chairman of the Science Committee. It was fitting that the ceremony took place in the Rayburn House Office Building.

Throughout his tenure, RALPH HALL has been a consistent advocate for advancement through scientific research and development. He has been an ally of small businesses, and as Science Committee chairman has worked to ensure that business owners are not unnecessarily burdened by excessive EPA regulations.

RALPH HALL has fostered programs to better understand extreme weather and to ensure that citizens are prepared for natural disasters. He also has worked to advance science education and programs that promote medical, energy, and technological breakthroughs to benefit future generations.

Throughout his time in Congress, Chairman HALL has served this institution with style and humor. Back home, you would be hard pressed to find a constituent who hasn't been given an ''All for Hall from Rockwall'' encased penny that is a fixture of his campaigns going back to his first race.

His constituent service is second to none—which is a large part of why he has had no difficulty in getting reelected back home no matter how his district lines have changed over the past three decades.

In Washington, to this day, he still gives his constituents more White House tours personally than any other Member of the House.

It is an honor to work with RALPH HALL as both a colleague and a friend. RALPH HALL has always said, ''I'd rather be respected at home than liked in Washington.'' Actually, he has achieved that rare combination of both.

We thank RALPH HALL for his service to the Congress and to our country.

Mr. Speaker, before I recognize other Members of Congress here tonight, I just want to remind us all that this Special Order is only an hour long, and given the number of people from whom we have had requests to speak, we are going to ask each person who does speak to limit themselves to 2 minutes or less so we'll have time not only for the Members who want to speak, but we'll also hear from RALPH HALL at the end of this Special Order.

Having said that, I'm pleased to yield to the gentleman from Texas, Congressman JOE BARTON, who is the second-most-senior Member of the Texas delegation.

Mr. BARTON of Texas. There are many RALPH HALL stories, most of which we can't really tell on the House floor—that's how funny they are—but I want to tell one real, true RALPH HALL story which is the epitome of a Texan.

Several years ago, RALPH told me that he had some property up over in his district and he didn't have time to go visit it. He had been involved in a bank, and apparently the bank had taken control of the property, and somehow RALPH had gotten control of the bank's assets legally, so it was his property, but he never had time to go visit it. He had a caretaker who was taking care of his property. He began to get letters from the Railroad Commission down in Austin. The Railroad Commission is in charge of oil and gas leases and royalties for the State of Texas, and they kept sending these letters asking where to send his royalty checks. And he finally called down and said: I don't have any oil and gas wells, what are you talking about?

Well, he said, on such and such a plat in such and such a county, you're the listed owner of this producing oil well. So RALPH took time one weekend to drive up by himself, and sure enough there was a producing oil well on some property that he did not know about. Obviously, he made a change in who was his caretaker at that property, but that is one true RALPH HALL story that shows the epitome of being the Texan that he is.

I first got to know RALPH back in 1985 when I was a freshman on the Science and Space Committee and RALPH was subcommittee chairman of the Space Subcommittee. Since that time, he and I have become good friends. He is the epitome of a true Texas gentleman. He is the most well-liked person in the congressional delegation, not just from Texas but from the entire Congress, and I am very honored to be one of the very few who gets to speak on what a great man he is. We're so glad that he's still in the Congress.

So, RALPH HALL, we love you. We hope you serve for another 10–20 years and continue to be an inspiration to the Fourth District of Texas.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, SAM JOHNSON, a true Texas hero.

Mr. SAM JOHNSON of Texas. I thank the gentleman for yielding.

You know, RALPH's district adjoins mine. He and I have represented the same area in Collin County for many years. RALPH is just one of a kind. He's one of the nicest guys I've ever known. It's a privilege to recognize my fellow Texan and good friend for his many years of outstanding service to our country and to the great State of Texas.

RALPH is a man of great integrity whose steadfast commitment of service to our Nation is to be commended. RALPH and I have known each other a long time, and I'm lucky to have him as a neighbor and friend. I don't have a better friend or ally in the Congress, and I want to congratulate RALPH on reaching this milestone.

He was in the United States Navy and he fought for our country in World War II. And then when we got back up where we do an event every year in McKinney, Texas, he was kind of mad at me because I jumped out of an airplane five times and he hadn't jumped out of one. And so he decided he was going to jump out of one just so he could come to that meeting and tell us he did it. And he did.

He's still a great patriot. He lives and breathes America. I look forward to many more years with RALPH HALL.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentlewoman from Texas, EDDIE BERNICE JOHNSON, who is the ranking member of the Science Committee of which RALPH HALL is the chairman.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank the gentleman very much. I rise today to

honor Congressman RALPH HALL, who is the dean of our Texas congressional delegation, and a lifelong public servant from the State of Texas.

□ 1930

I don't know that I have a better friend in this body than RALPH HALL, and our relationship goes all the way back to the Texas Legislature.

When I first went to the Texas House back in 1972, he was a part of the senate. And I still have a little penny that is encircled in a little silver band that says, RALPH HALL of Rockwall. And I've always kept it as something special because he is a very special person to me.

When he switched parties in 2004, and I've said this before, I tried to call him several times and I didn't get a response. So I finally said, just, I want to leave this message; tell him I still love him. In 30 seconds, he called me back. And I really meant that. I meant it then; I mean it now, because party has never been anything that separated friendship, and he's a perfect example of that.

His sense of humor has been so useful on the committee that often it's used to make witnesses more comfortable or to break some of the partisan bickering.

But whatever, he's unique in this body. If we had more RALPH HALLS, we wouldn't have the rating that we have today.

Mr. Speaker, I rise today to honor Congressman RALPH HALL, Dean of the Texas Congressional delegation and a life-long public servant from my State of Texas.

RALPH HALL is often quoted, saying "I'd rather be respected at home than liked in Washington." I do both. I have tremendous respect for him as my Chairman of the House Committee on Science, Space and Technology and he is a true friend back home in North Texas. RALPH HALL in many ways has been able to transcend the extreme partisan climate which exists in Washington today with his keen political acumen and candid sense of humor.

Through our shared experiences in the Texas legislature and on the Science Committee, I have learned that RALPH enjoys a good joke and that I should not try to match him in storytelling. RALPH uses humor to diffuse tensions in a room. I have seen him use it to do everything from stopping partisan bickering to easing a witness's nerves. It's a real skill and I have truly appreciated it over the years.

You may recall back in January of 2004 after serving 12 terms as a Democrat, RALPH HALL decided to run as a Republican. I was the first Democrat to call RALPH when he switched parties. As soon as I heard this news I attempted to call him at his office, however I was unable to get in touch. After a few more attempts, I left a message saying, "just tell him that I still love him." He called me right back, and said he was so happy to hear my message because his wife was mad at him. Some said she actually had him sleeping on the couch. He knew several of his Democratic friends would be upset with him.

Our districts are practically right next to each other and we had been friends for years. I wanted him to know that I certainly didn't agree with the switch, but that we would always be friends, and I meant it.

It has been an honor to be his friend and colleague all of these years. RALPH HALL continues to inspire and encourage us all through his milestone of service to our Nation.

Mr. Speaker, I would like to recognize RALPH HALL for his many accomplishments as an exceptional politician, civic leader, businessman and shining example of the American dream.

Mr. SMITH of Texas. Mr. Speaker, I am happy to yield to the gentlewoman from Texas, KAY GRANGER.

Ms. GRANGER. Like all the Members that are speaking tonight, I'm very honored to pay tribute to our friend, RALPH HALL. And I thank Congressman LAMAR SMITH for organizing this very well-deserved tribute.

Congressman HALL served his country as an aircraft carrier pilot in World War II, and has continued his commitment to service ever since.

As the oldest Member of Congress to cast a recorded floor vote, the dean of the Texas congressional delegation, and the oldest Member of this House, Congressman HALL has a long, distinguished career behind him.

More important than the longevity of RALPH HALL's service, however, is the incredible dedication and commitment to his constituents that he's shown in his service. Congressman HALL has repeatedly earned the trust and respect of voters of north Texas who elected him to his first political office 62 years ago, and they've been sending him back with overwhelming support for 32 years. All along the way, in every office he's served, Congressman HALL has made Texas proud, and continues to do so as chairman of the Science, Space, and Technology Committee.

Serving with RALPH has been a true honor, and I look forward to continuing to serve with him well into the future.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, PETE SESSIONS, the next chairman of the Rules Committee.

Mr. SESSIONS. Mr. Chairman, thank you very much.

Tonight we all rise in support of the favorite son of Rockwall, Texas, and perhaps all of Texas, the Honorable RALPH HALL.

And I think of so many wonderful stories about RALPH. Tonight you'll hear many of them, Mr. Speaker, of the Texas delegation, of the life and times of our members, as we not only try and gather together every week, but also work together.

One of my favorite stories about RALPH HALL really took place with the young woman who was just up here, KAY GRANGER. One night KAY GRANGER, then as a Member of my Congress, and myself—this is probably 12, 13, 14 years ago—were with RALPH HALL at the brand-new Reagan airport. And we sat down, waiting for a flight that was going to be in 35 or 40 minutes, that got delayed 35 or 40 minutes or maybe longer, and about an hour and a half later, the American Airlines people came and said, Just so you know, the flight left about 30 minutes ago. Do y'all want to have dinner with us or what?

And we looked up at each other and we'd missed the flight, and that was because RALPH HALL was telling the funniest stories of taking time with KAY GRANGER and me, sitting around a small table at Reagan airport.

And he was doing more than just telling stories. What RALPH was really trying to do was to mentor KAY GRANGER and PETE SESSIONS on, not the life and times of RALPH HALL, but to talk about citizenship and of service and of benefit to people. And he talked about how he, in his personal life, lived his life for the benefit of other people.

From that day forward, I learned more about RALPH HALL and have continued to want to hear him and tell the stories. Every time it is about how you can better your life, about how you can look at what your service and your time and the things that you do is about other people, not yourself. RALPH HALL, for all the years that I am sure he has served, whether it was as a State senator or a county judge or as a distinguished Member of Congress, RALPH has done so for others.

RALPH comes and goes every single weekend. I've never spent a weekend in 16 years that I've been a Member of Congress, and I'm sure RALPH has not in the time he's been here since the early eighties.

Mr. Speaker, RALPH HALL is an important and distinguished Member of this body, and he has brought distinction, not just to the Texas delegation and not just to the people that he recommends, but I think to all of America, as a statesman, a man who gets his work done, not to put himself forward, but to put others.

I think he's a model of success. He's a model of somebody that I want to become more like. But I will tell you what: If we will take the time tonight, those of my colleagues that have not known him, to watch the way RALPH does it, he even does it today the same way he did it the first day he came here. And that, to me, is a legacy of RALPH HALL, a great Member of Congress and one of my colleagues.

I'm proud and pleased to be here tonight with the Honorable RALPH MOODY HALL, Member of Congress.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, JOHN CULBERSON.

Mr. CULBERSON. Mr. Speaker, the Proverbs tell us that our good name is our most valuable possession on Earth, and by that measure RALPH HALL is truly one of the wealthiest men in America. He's earned the trust of his constituents over and over again, as he has earned the trust of his colleagues, because we know, his constituents know, that RALPH HALL always keeps his word, that RALPH HALL always does what's right for America. He does the

right thing for the right reason on every occasion.

And he understands that his service in Congress is for his fellow man. Just as he served us in uniform in our Armed Forces, RALPH serves here as he served as county judge, as he served as State senator for the benefit of Texas, for the benefit of America.

It's an extraordinary privilege for me to serve with him, to look to RALPH HALL as a mentor, as a friend, as a colleague, as a fellow Texan, to honor him tonight, one of the great Americans, one of the great Texans ever to serve in the United States Congress, RALPH HALL. We honor and thank him for his service to the Nation and to the great State of Texas.

Mr. SMITH of Texas. Mr. Speaker, I am happy to yield to the gentleman from Texas, JEB HENSARLING, the next chairman of the Financial Services Committee.

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, I rise today in great honor to recognize my friend and fellow Texan, RALPH HALL, for being the oldest Member of Congress to cast a recorded vote on the House floor. It is not often that I have been given the opportunity to recognize someone with such a long, long, long, very long history of service to our country.

Everyone in this institution knows that RALPH's passion in this institution is science and space and technology. It represents the areas of the committee he now chairs.

When I came here, I asked someone, Why is RALPH such an expert in science? And someone said, Well, you may not know it, but according to some, he was there when Columbus discovered the Earth was round, Newton discovered gravity, and Franklin discovered electricity.

Now, Mr. Speaker, they say that imitation is the greatest form of flattery, and this was a poor attempt on my part to show how RALPH HALL brightens this institution every day with his humor. He is clearly the wittiest Member of Congress in a body that is in desperate need to be brightened up and occasionally benefited by such wit and humor.

But besides his wit and humor, for those who really know him, he is clearly one of the wisest men to ever serve in this body. And I certainly benefit from that wisdom, as do so many others.

□ 1940

Mr. Speaker, we heard earlier that RALPH has said, I'd rather be respected at home than liked in Washington. The truth is, not only is he respected in Rockwall, Texas, he is beloved in Rockwall, Texas. And not only is he liked in Washington, more importantly, he is respected in Washington. And more importantly, he is respected by both Republicans and Democrats alike. And that, Mr. Speaker, is a huge, huge testament.

And so, Mr. Speaker, I'm honored to recognize a Texas legend, a World War II veteran, a statesman, a role model for all American citizens, including my children. I'm honored to recognize him on this historic occasion. I'm honored to recognize this institution for this historic moment. But most of all, I'm honored to call RALPH HALL my friend.

I thank the gentleman for yielding.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, MICHAEL BURGESS.

Mr. BURGESS. I thank the gentleman for the recognition.

I don't want to say that RALPH HALL has been here for a long time, but he was here when the Earth cooled the first time.

RALPH, I just can't tell you what it's meant to serve with you. When I was a freshman Member of Congress, you actually were on the other side of the aisle. You were the ranking Democrat on the Science Committee, and I served with you there. Certainly, your ability to get your way in that committee was something that I've always marveled at, because we had the votes, but you had the way of getting things done. And then I lost the ability to have my bills bipartisan because I always got RALPH to cosponsor whatever crazy little bill I had up there and it became bipartisan, and then RALPH switched sides on me. I wasn't able to utilize that any longer.

I've got to tell you, RALPH, one of the profiles in courage that I will always remember from my service here in the House, I hadn't been here 3 months and it was the first budget vote that I had lived through. It was a pretty wild night. It went on late. The budget was kind of seesawing back and forth with not quite enough votes to pass, and then it had enough and then people switched. Right at the end, RALPH HALL came down this very aisle to this table and cast the deciding vote in favor of the Republican budget. At the time, he was a Democrat, but it was important to him. Our country had just gone to war in Iraq. The President needed the support of the House of Representatives. To RALPH, that was an important vote to cast. Honestly, I'll just never forget that profile in courage that you showed that night and how you put country above party, you put country above self, and you made that sacrifice.

RALPH, it has been an honor to serve with you. You are a near neighbor in north Texas. We ride back and forth on that darned plane every week, and it is a testament to your ability to not just serve here in Washington, but take care of your folks at home in Rockwall.

RALPH, it's been an honor to serve with you.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, JOHN CARTER.

Mr. CARTER. I thank you for yielding.

I'm really pleased to step up tonight and say a little bit about my friend, RALPH HALL. Here he is, the oldest Member to cast a vote on this floor.

Texas has sent an awful lot of treasure to this place over the years. We've shared resources. We are a State of resources. We shared our resources, we think, pretty graciously with the rest of the country. And when we shared RALPH HALL with this body, we shared one of Texas's treasures.

We've talked about RALPH, and most of the stories that have been told I have known and thought about sharing. But the truth is that when I think about RALPH HALL, it's amazing. People that don't really know him in Texas think they know him because they know his reputation.

It's been said that a statesman is a person who puts everything above himself and all partisanship aside and tries to do what's right for the country. I've watched RALPH as a Democrat, I've watched him as a Republican, and that's what he does.

A national treasure is something they bury in the ground, so RALPH doesn't like to talk about that, but what he does like to talk about is the fact that we all need to be nice to each other. And RALPH HALL is like what we Texans define as a Texan. And the first definition every Texan will give is a man that'll look you straight in the face, make a deal with you, look him in the eye, he gives you his word, and you can count on it. That's the definition we Texans cherish.

He is the man who originated that definition, because he's the man you can look in the eye, and when he promises you he's going to do something, he's going to do it; but even more importantly, to be a person who has charm and grace and humor and the ability to make your day brighter every time you see him. I don't know of anybody in my life I've ever met that has that talent like RALPH HALL. That makes him a treasure.

God bless you, RALPH.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, RANDY NEUGEBAUER.

Mr. NEUGEBAUER. I thank the gentleman.

I rise this evening to talk about my young friend, RALPH HALL. One of the things about RALPH is that he is like the Energizer bunny. He's up just about every morning pretty early and walks. But most of the time you will see him down at the White House about 7:30 letting some constituent in for a White House tour or, in some cases, taking that constituent for a tour.

The thing about RALPH is he's never interested in RALPH; he's always just interested in you. If you walk up to RALPH, during that conversation it's going to come out, What can I do for you? What do you need? How can I help you?

What RALPH has done for all of his life is served. He understands that the roles that he's been allowed to serve in were really roles of servanthood. And he is the ultimate servant. He has the

servant's heart. It's a delight to be around him.

I've enjoyed serving on the House Science Committee with him. Sometimes there will be some adversarial conversations in a committee hearing, but RALPH has, always, a way to bring levity sometimes when levity is needed.

I woke up one morning here just a few months ago and I read in the paper: RALPH HALL Jumps Out of Airplane. Now that would shock some people, but I guarantee it didn't shock anybody in the Texas delegation, because we know when RALPH wants to make a point, he just goes ahead and makes the point.

Now, you've got this guy that gets up at 7 o'clock in the morning, he's down at the White House, he jumps out of airplanes, he goes back and forth to Dallas every weekend, and the question, RALPH, that all of us want to know, is: What kind of vitamins are you taking? Because we all want to be on whatever diet that you're on.

But what I wanted to say about RALPH tonight is RALPH is a Congressman to many people and the people in Rockwall, but to all of us, RALPH HALL is our friend. And we're very proud of our friend, and we're very proud to have the opportunity to serve with a great man like RALPH HALL.

My RALPH HALL story is: We were celebrating one of his birthdays on a Thursday—the Texas Republican delegation has lunch every Thursday—and somebody had brought a birthday cake in, and I think we had a candle there. We just had one to kind of commemorate all of the years. The fire marshal wouldn't let us bring all the rest of them, RALPH, I'm sorry. Anyway, he was making light of his birthday, and he looked at us and he said, The worst thing somebody can say to you on your birthday is, Doesn't he look natural?

What we know is that RALPH HALL is not a natural person. He's a supernatural person.

RALPH, we love you and we appreciate the opportunity to serve with you. God bless you, and God bless the United States of America.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, MIKE CONAWAY.

Mr. CONAWAY. Thank you, Mr. SMITH.

I, too, want to add my congratulations and prideful acknowledgement of RALPH HALL's long service. You've heard the long list of his accomplishments and his service. RALPH represents the folks in northeast Texas ably and well, including my alma mater, Texas A&M at Commerce. He is a terrific individual.

I'm in constant awe of his quick wit and his storytelling ability. RALPH is never at a loss for some remark or response to whatever is going on. It just makes you want to laugh out loud. That is a rare talent—one that I would love to have, but don't. I am in awe of his quick wit and his wisdom.

I'm also in awe of his gentle spirit and kindness that he expresses to every single individual. It is deep-seated and it is heartfelt and it is genuine and real. And those of us that have the honor and the privilege of service with RALPH HALL understand it and bask in it on every single occasion.

So I would simply like to add my congratulations and heartfelt admiration to serve with RALPH HALL and to be able to say that when I write about whatever I did in Congress, one of the lines in there will be that I had the honor and privilege of serving with RALPH HALL at a time when he was at his best.

RALPH, congratulations.

□ 1950

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, TED POE.

Mr. POE of Texas. I thank the chairman for yielding. Thank you for sponsoring this Special Order where we can, as a body, recognize our friend and fellow Texan, Chairman RALPH HALL.

Mr. Speaker, we Texans are proud of our State, we're proud of our heritage, and we're proud of the people that have been in our State. Texans have a long history of remarkable Texans in our history, men and women with, I shall call it, personality, uniqueness, all the way back to General Sam Houston—and there are many others. But on that list will be, and is, Chairman RALPH HALL. He is a person of personality and character—and quite a character.

He has not always been a Republican. At one time he sat over here. He was a Democrat. He switched, got religion, and came over and became a Republican. But his principles have never changed; they have always been the same. Whether he sat over here or whether he sat over here, he has always been a man of remarkable character and always voted his principles.

He is a World War II veteran. We have a special place in this country for veterans like him that served in the great World War II. My dad served in World War II. He was on the other side of the world while RALPH was flying off of aircraft carriers in the Pacific.

There is a special something about World War II veterans. They understand American history. They understand the importance of our military and how it's important for us as a Nation to always do two things—have a strong military, and then support our veterans when they return home, whether they return home as wounded warriors or whether they return home with the scars of war, and some that return home in those caskets. RALPH HALL makes sure that we remember our veterans.

He was a business owner. He ran for office because his wife wanted him to run for office. Mary Ellen was responsible for him spending many years on the campaign trail running for office. As the chairman of the Science Committee, he has been a special fan of NASA. We in Texas, we love NASA. When he learned—rumor has it—that the space shuttle was going to New York City instead of Houston, Texas, rumor is that he was trying to get a posse to go up to New York and bring that shuttle back to Houston where it belongs. I don't know if that's true or not.

RALPH HALL loves America, he loves this body, he loves Texas, but most of all he loves the American people. It's a great honor to recognize you, a statesman and favorite son of Texas, Chairman RALPH HALL.

And that's just the way it is.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, LOUIE GOHMERT.

Mr. GOHMERT. Thank you, Mr. Chairman, for yielding.

It is an honor, privilege and a pleasure—all three—to be here to pay tribute to our friend RALPH HALL. I think I'm the only one that has spoken that was actually represented by RALPH HALL, and so it's not my first testimonial for the gentleman from Rockwall.

In fact, in 2001, it looked like there was a new redistricting map the legislature had come out with, and it was going to put my home town of Tyler in a different district. During my years on the bench, I had been concerned about some of the Federal laws that were luring people into ruts they couldn't get out of without any hope, and that's when I first thought about running. But I knew, and I said publicly, as long as RALPH HALL is my Congressman there's no need for me to run. I know that man, I know his heart, I know his convictions—not criminal convictions, I don't know of any of them—but I know the convictions of his heart, and I know him to be a man of conscience, a moral, upright, decent man who had a wonderful wife, and there was no way there was a need for me to run as long as RALPH HALL was my Representative.

I was told by some Republican leaders, look, he's a Democrat, you ought to run against him anyway, and I said no way. I couldn't do any better than RALPH HALL. I'm well represented. But in 2003, finally the legislature actually did redistricting, and we ended up in a different district, and I ran. But I've been amazed not only by the incredible knowledge of science and technology and the workings of this body, but as others have alluded to, the sense of humor. But now one thing I've noticed, a lot of times around here people get a good joke, they just keep it to themselves, whereas RALPH shares even funny material.

We had a college coach here that was going to speak to a big group of Members of Congress, and somebody told him, just start off with something funny and you'll be fine. He was nervous, and he said, I don't know anything funny. So RALPH said, well, what would you like it on? He said, well, what about education? He said, here's your joke:

A teacher tells her first-grade kids that they've got to come back and tell

some family story that is told around the family. Everybody in the classroom the next day had their story, but little Johnny never raised his hand. Finally, she said, Johnny, everybody's done their family story but you, don't you have one? And he said, well, I do have one, it's even got a moral, but I don't know. The teacher said: Well, is it clean? He said sure. She said, Well, go ahead and tell it. So Johnny got up and said, Well, my Aunt Katie was in the Air Force as a pilot, and she got over hostile territory. My Aunt Katie always was prepared for the worst. She had a bottle of whiskey, an Uzi, a 9mm and a knife in the cockpit with her just in case something happened. Sure enough, she got hit, she's going down. She ejects, drinks the bottle of whiskey real quickly, and then sees all these enemy soldiers coming at her, wipes out a couple dozen of them with the Uzi, takes the 9mm, wipes out 12 more, and then hits the ground. Three more come at her, and she takes them out too.

The teacher said: Good grief, that's a family story and you say it has a moral? He said, Well, I don't know if you'd call it a moral, but it's what everybody in our family knows, and that is, when Aunt Katie's been drinking, you don't mess with her.

So, anyway, I was impressed that he shared that, but more than anything I'm proud to have shared time here and seen a true Representative at work. It's been my honor. Thank you, RALPH, for all you've done.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, PETE OLSON.

Mr. OLSON. I thank my colleague and fellow Texan for giving me a couple of minutes to talk about RALPH HALL, a man we all know, a man we all love.

My comments are going to focus on some of the amazing events that have occurred during RALPH HALL's life and brought him to this record-setting vote he cast earlier this evening.

God had a plan for RALPH, some might call it fate—fate, which is appropriate, because RALPH's journey to get here started in Fate, Texas, population 299. RALPH was born there on May 3, 1923. Fate ensured that RALPH would have amazing brushes with history.

One amazing brush with history RALPH had occurred as a young teenager pumping gas in Rockwall, Texas. RALPH filled up a car of a young couple, a man and a woman, very well dressed, heading east. RALPH got a great tip—a quarter. In those days that was a lot of money.

□ 2000

He went into the service station to tell the boss what had happened, about the tip. He glanced at the newspaper, and he froze.

He had just filled up a car, the two occupants of which were the pictures of two people on the newspaper, the front page. These two people were Bonnie and Clyde, the notorious gangsters who met their demise shortly after leaving Rockwall, Texas. RALPH pumped gas for Bonnie and Clyde.

But RALPH has not just had amazing brushes with history, like Bonnie and Clyde. He's made history. As a county judge, a State legislator, a United States Congressman, RALPH made our country stronger and made the world better.

I have had the honor and privilege to work with Chairman HALL for nearly 4 years to ensure America retains its dominance in human space flight.

When the Obama administration's ill-conceived budget of 2010 threatened to lose that dominance, RALPH used every tool in the toolbox of life that he had accumulated in public service to give him the tools to win the battle.

Here are a couple of those tools: Neil Armstrong; General Tom Stafford, who was here earlier today; and Gene Cernan. RALPH built a bipartisan coalition and saved the Orion crew capsule and put the United States on a path to go beyond low Earth orbit.

As a boy who grew up a mile and a half from the Johnson Space Center, I have seen RALPH HALL make history and put our country on a course where my kids, your kids, our grandkids can see an American walking on another celestial body.

RALPH, thank you for the impact you've had on my life and my family's life.

We've all talked about the chairman going parachute jumping earlier this year. I thank you for that, Mr. Chairman. Because you did that, my 15-year-old daughter came up to me and said, Dad, let's jump out of a plane when I turn 18. Thank you. Thank you for that, Mr. Chairman. You've made a difference in my life. You've made a difference in the world. We love you. We thank you.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Florida, BILL POSEY.

Mr. POSEY. I thank the gentleman for yielding.

I appreciate the opportunity to join with my colleagues in recognizing Chairman RALPH HALL for his tenure and as chairman of the House Science Committee.

During his service, Congressman HALL has been one to reach across the aisle and forge bipartisan coalitions to support important legislation. And no program, in my view, has benefited more from his bipartisan commitment than the United States space program.

Representative HALL has been an especially strong voice for our Nation's human space flight program, which has benefited not only Texas and Florida, but has propelled our Nation on a path of unprecedented scientific and technological advancements.

We can all learn a lot from our colleague. Congressman HALL leads by example, and he is well known for calling a spade a spade. His word truly is his bond, and you can always take that to the bank.

Advancing our Nation's human space flight program has been a hallmark for Chairman HALL. And as we look out at America's next generation of explorers, space is their destiny. And he'll help ensure that they reach it.

RALPH, there's a lot of work to do, and I'm truly honored by the opportunity to serve with you to get 'er done. I only hope and pray that when I'm 65 years old, I'll be in half as good shape or half as smart as you. God bless you, RALPH.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, QUICO CANSECO.

Mr. CANSECO. I thank my friend and colleague and fellow Texan, Chairman SMITH, for yielding.

Today, I honor a great man, a great Texan, a great American, RALPH HALL. As he makes history today for being the most experienced Member—in lifelong years—of this Chamber to cast a vote, I am proud, as a member of the Texas delegation, to call him a friend and a colleague.

RALPH HALL embodies so many of the virtues we celebrate as Americans. He is a man who is forever devoted to his family. He is a patriot who served his country during World War II. He is a public servant who has dedicated his life to serving the people of Texas and the United States. He is an example to all Americans not just for his service to family and country but in the graceful manner in which he goes about his tasks and the joy that he inspires in all of us.

This Chamber will always be grateful for the service that RALPH HALL has given to the House of Representatives and to the Nation.

We all enjoy his good humor, his dedication, and his love of country that he brings to his job each and every day.

Tonight, as we pay tribute to RALPH HALL and wish him many more years of service to the people of Texas and the United States, I thank him for the privilege of serving by his side as a friend and a colleague in the House of Representatives of the United States Congress.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, BILL FLORES.

Mr. FLORES. I thank Chairman SMITH for yielding.

Mr. Speaker, I rise today to honor one of my Texas colleagues who has just become the oldest known Member of the House of Representatives to cast a recorded vote on the House floor. And I applaud Congressman RALPH HALL for passing this historic milestone.

RALPH was first elected to represent the Fourth District of Texas back in 1980 and is preparing to enter his 17th term when the 113th Congress convenes next year.

Congressman HALL currently serves as chairman of the Science, Space, and Technology Committee. He is the longest-serving Member of the committee and is the first Member to serve as ranking member as both a Republican and as a Democrat.

Now, everybody knows what a comedian RALPH is, and I want to share a funny story with you about him. At his birthday party in May of 2011, I was asked to say a few words about him. So I talked for a few minutes about him and about what it was like to serve with him. And I ended by saying that I hoped to wrap up my time in Congress in just three to four terms and that I would never aspire to serve as long as he has, to which RALPH dryly replied, Well, Bill, we're going to miss you. So that's just the way RALPH is. He adds levity to every situation.

Mr. Speaker, it's an honor to work alongside RALPH. I look forward to serving with him in the future in addressing the many pressing needs of the American people.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, BLAKE FARENTHOLD.

Mr. FARENTHOLD. I am honored to be here today, as well, to pay my respect in tribute to Congressman RALPH HALL.

As a freshman in Congress, there's a whole lot to learn. When I came in, RALPH HALL was one of those people that was larger than life. And he remains larger than life after I've been here for 2 years.

He is the kind of guy that you aspire to be like in Congress—able to solve problems, able to get things done across party lines, friends with everybody, always a smile on his face, always a joke on his lips. He is a problem-solver, and that's what we need here in Washington is people who solve problems.

A perfect example that you've heard some of my colleagues allude to earlier today, there were some folks saying, RALPH HALL is too old to serve in Congress. Well, he solved that problem by jumping out of an airplane. And I'm going to tell you something. For a Navy pilot—I represent two naval training facilities—I guarantee you naval pilots do not like to jump out of a perfectly good airplane. Getting out of an airplane is a bad sign for a Navy pilot before it's landed.

RALPH HALL epitomizes and is the perfect example of what it is to be a Congressman. He could make friends with a fence post. And as I've told my wife Debbie, When I grow up, I want to be RALPH HALL.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Texas, KENNY MARCHANT.

Mr. MARCHANT. Mr. Speaker, today we honor our dear friend and colleague RALPH HALL for becoming the oldest Member to cast a vote in the history of the House of Representatives.

I have had the privilege of knowing RALPH for decades. He is a dear friend and a tireless advocate for the people of the Fourth Congressional District of our home State.

□ 2010

RALPH'S service to the country did not start with his election to Congress in 1980, but started long before. He answered the country's call to serve in the service in World War II, serving in the Navy as an aircraft carrier pilot from 1942 to 1945. Later in his life, RALPH served in the Texas Legislature from 1962 to 1972.

RALPH, I did not have the opportunity to serve with you in the Texas Legislature. We were there at different times. But you served with honor, and you served as the Senate pro tempore for 2 years.

Though RALPH'S time in the Texas Legislature predated me, he has always been and always will be a legend in Austin, Texas. Today, my friend continues to distinguish himself in Congress serving as the chairman of the Science, Space, and Technology Committee.

There never has been anyone quite like RALPH before. He is a true Texan, a true Texan hero, and I am proud to call him my friend. Though he qualified for retirement a couple of decades ago, he still serves his country and constituents with honor and distinction.

Mr. SMITH of Texas. Mr. Speaker, I yield to the gentleman from Illinois, RANDY HULTGREN.

Mr. HULTGREN. Thank you, Chairman SMITH.

I rise today to honor my colleague from Texas, Congressman RALPH HALL, whom I have come to know over the last few years, not only as the chairman of our Science Committee, but also as a personal friend and leader.

As Science Committee chairman, RALPH HALL has been a strong advocate for our Nation's leadership and preeminence in space exploration and launch capabilities. It is self-evident that his personal experience and expertise has carried over into a passion for American preeminence and flight in aviation.

Today, as you have heard, RALPH HALL will become the oldest known House Member to cast a recorded floor vote, and this is a great opportunity to reflect on his record of service to our Nation. We recognize not only his service here in Washington as a Member of the House of Representatives, but also his home State of Texas as a member of their legislature and as a veteran of the Second World War.

While Congressman HALL's wit, humor, and bipartisanship are rare today, they're attributes sorely needed now more than ever. I feel privileged to have served with him during my first term of Congress, to follow his leadership on NASA and human spaceflight policy, to hear his stories and knowledge spanning nine decades, and to count him as friend.

I realize more than ever that someone who is 91 years old can say a lot of things that someone 46 years old would get in a lot of trouble saying. So I'm grateful hearing you speak all the time, and I enjoy your jokes so much. Congressman HALL is not only a fighting ace and a military hero, but the living embodiment of southern hospitality and good heartedness.

Mr. Chairman, thank you for your service, and congratulations on this wonderful milestone. I know we're going to see you continue to set records for years to come.

Mr. SMITH of Texas. Mr. Speaker, the time has come to recognize the man we have been honoring here tonight.

Earlier this evening, Congressman HALL broke the record for the eldest Member of Congress to have ever cast a vote in the United States House of Representatives. Actually, Mr. Speaker, every day RALPH HALL sets a record for his service to our country.

Mr. Speaker, the time of the Special Order is going to appear to expire in about 5 minutes, and I hope the Speaker might consider wielding a gentle gavel.

With that, I look forward to hearing from the gentleman from Texas, the gentleman from Rockwall, Texas, himself, RALPH HALL.

Mr. HALL. Well, I don't really want to make a speech. I've enjoyed these speeches I've listened to here. A lot of it was true. Good people, great guys and gals that I work with. I'm honored to be a part of it.

For the past 32 years, I've been here. I really came up here to stay 4 years, and that's what my wife and I agreed on. I just didn't say which 4 I was talking about. But she was always one to encourage me to run, because I had a son who was a district judge, and I think she felt that me being in Congress helped that son. Mommas always love their little cubs. I think he was really helping me, because he was running on the Republican ticket then and I was running on the Democratic ticket. I soon saw the light, and I came over. But I left good friends over here, and there's good people on both sides of the docket.

There's a lot of talk about the parachute. There are things you have to do in politics sometimes. I had a race that started this last time with 78 percent of the votes it looked like. A gentleman from Houston spent $450,000 against me. He didn't know me, didn't know the two people running against me, but spent that amount of money to defeat me for some reason because he thought I was too old to be here. He picked five of us, and the other four didn't take him on. I tried to take him on some, but in taking him on I had to assure my people that I wasn't the old goof that he was saying I was, that I was capable of the work.

The only way I could think of doing it—I run a couple of miles every morning, and when I was running, I looked up and there was an airplane up there. I thought, If I could jump up and touch that airplane, they'd think I was agile enough maybe to keep on being their Congressman. If running 2 miles every morning, voting 99-plus percent of the time, if that wasn't enough, I had to do something else. So I decided if I jump 2 miles, maybe that would be it.

We got in an airplane. I got this guy, and he really was great. He trained me and showed me how to get in and out. Of course, I had flown probably a couple or 300 hours or 400 hours during the war, and I had made one jump during the war, but it wasn't a forced jump. I knew what it was, and I knew that it was okay. I also knew that it would tell people I had not had a stroke, and that's what they were putting out. I wanted them to know I was able and capable of representing them. They had to know that, and they were entitled to know that, so I decided to jump out of that airplane.

We got right over the opening there, and I looked down. I had maybe a couple of hundred people on the ground waiting there. He said, As you jump out, reach with your heel and kick me in the rear. I was glad to do that. Right at the last, I almost decided not to jump, but I was too close and I knew I had to. I might have been pushed a little. I don't even know. I did jump, and he held on to me so tight—there were two of us there. He was holding tight, and that kind of struck me. I turned around and asked him, ''Do you mean it?'' He said, ''What do you mean?'' I said, ''You're holding me so tight. Do you care for me? What's the deal? There's a preacher down there, and the President said men can marry men. Maybe he'll just marry us when we get there.'' He said, ''Shut up. The ground is going to be here in just a few minutes.''

It was a pretty thing to see the Earth coming up to us there and seeing good friends down there that waited in hope for me. Even my undertaker was there. My undertaker meets me every time I go home with a tape measure and tells me he has one in store for me. He also tells me not to worry about flyers; if you don't like them, they'll finally grow on you. It's kind of a smart aleck way to do it, but he's my close friend. He was an intern when I was in the Texas Senate and one of the fine leaders of Rockwall.

For the past 32 years, I've had the honor and the privilege of representing the Fourth District of Texas here in Congress, and I think it's just an honor to know that there have been 10,747 men and women elected to serve and that I may be the oldest to ever serve or to ever vote on the floor. There are others that have been here but didn't vote. I think that date comes up sometime around the 21st day of December.

My first impression of the House of Representatives when I got here began with Speaker Sam Rayburn, whose district I represent. Speaker Rayburn and my wife were good friends at Mayo College. That's what the college name was before it was East Texas State Teachers College. When I was in the senate, I changed it to East Texas State University. My wife graduated from there, and I had the privilege of handing her her diploma. Those are good things, and that's a great institution over there.

Mr. Rayburn, was called by my mother, who had known him back in the earlier days and was at Mayo College with him, to give me some kind of a recommendation to be an officer in the Army or the Navy or the Marine Corps or something. He didn't call her back. He didn't write her a letter back. He came to the breakfast table to tell her, ''Maude, I can't appoint that boy to anything. There's four reasons.'' She said, ''What on Earth can that be?'' He said, ''All four of his grades.'' That was kind of true, because I always thought everything over 70 was wasted.

□ 2020

Not a good student. Not a good football player. We lost our car early in the Depression. One guy in the Depression said he'd eaten so many rabbits he was afraid of his own dog. We didn't have that kind of a problem, but we knew what the Depression was.

I fear for this country right today in that, if we don't get together and maybe forget that we're more Republican than we are Democrat or more Democrat than we are Republican, our children are going to suffer. We need to make a move and think of them. We owe our children an opportunity, and they owe us the effort. It's just that simple. I think, in this next session, we're going to all have some give, that we're all going to get together and try to work something out.

In our leader, we have a good Speaker. He's a guy I admire and respect, a kind Speaker, a guy who means the things that he says. He is a Speaker who cares about us. I don't agree with everything he says, but we need to forget any little pettiness that we have, get behind the leadership here, and try to write some legislation. It's for our children and for our children's children. That's the most important thing I think we can do.

I know my time is about up.

The SPEAKER pro tempore (Mr. WEST). The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, would it be appropriate to ask unanimous consent that the gentleman from Texas have an additional 5 minutes, or more?

The SPEAKER pro tempore. The Chair cannot entertain that request.

Mr. HALL. I say to the Chair, thank you very much. I appreciate and understand what the rules are, and I thank my folks for being quiet up there when I know they wanted to be heard.

God bless this Speaker. God bless you, LAMAR SMITH. You'll make a good chairman of Science, Space, and Technology.

Mr. BOEHNER. Mr. Speaker, over the course of our history, nearly 10,750 individuals have served in the House of Representatives. According to congressional historians, the gentleman from Texas, Mr. HALL, has just become the oldest known House Member to cast a recorded floor vote.

It is yet another extraordinarily milestone for this World War II veteran from Rockwall, Texas, a small town east of Dallas. This is a proud moment for Mr. HALL's family, constituents, and all of us who have the privilege to serve with him.

Today, the House of Representatives is also accepting a portrait of Mr. HALL in recognition of his tenure as chairman of the Committee on Science, Space, and Technology. RALPH's record of service to the committee, and to our country, has been a thing of beauty, and John Boyd Martin's work certainly matches that description.

The portrait contains a view of the Capitol and a picture of RALPH and his wife Mary Ellen, who spurred him to get involved and run for his mentor Sam Rayburn's old seat. The House is accepting the portrait in honor of her memory.

Also worth noting in the portrait is the space shuttle on Mr. HALL's lapel. It's a fitting symbol of his long-standing commitment to the space program and America's leadership in discovery and innovation. It also signifies how Chairman HALL has focused on exploring all of our next frontiers—starting with our own energy resources. Chairman HALL not only keeps the shuttle—and all the promise it embodies—on his lapel. He keeps it in his heart too.

Like the casting of a vote, the presentation of portrait is a personal act, but its acceptance is a shared commitment. It is for us, Mr. HALL's peers and admirers, to continue the labors the portrait honors, to sustain the curiosity it celebrates. The House's efforts to commemorate Mr. HALL's voting milestone is a good start. There is much more to do, and we can rest assured that Mr. HALL himself will make a robust contribution to this work.

Mr. BRADY. Mr. Speaker, I rise today in honor of Congressman RALPH HALL, representing Texans in the 4th District of Texas. A patriotic American, U.S. Navy Veteran of World War II, Texan, and more personally a true friend and mentor. First elected to Congress in 1980, Congressman HALL has committed over thirty years of his adult life ensuring his constituents are heard throughout the halls of Congress, all the way from the Lone Star State.

Congressman HALL's public service didn't just start when he arrived in Washington—RALPH was first elected as County Judge of Rockwall County, served as President of the State Judges and Commissioners Association and devoted ten years serving in the Texas Senate, where he rose to President Pro Tempore.

It is an honor to serve the great State of Texas side-by-side with Congressman RALPH HALL and his track record of success is admired far and wide; pretty good—for a boy born and raised in Fate, Texas.

I commend the family of Congressman HALL, the late Mary Ellen Murphy, and their three sons, Hampton, Brett, and Blakeley along with their five grandchildren for the countless hours they have sacrificed while RALPH represented Texas on the national stage.

Mr. Speaker, I look forward to tackling the pressing issues of our current time and getting our country back on a track to fiscal sanity alongside with Representative HALL and as he puts it quite frankly and I agree, ''I'd rather be respected at home than liked in Washington.''

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to recognize and honor the extraordinary public service commitment of Congressman

RALPH HALL, the Science, Space, and Technology Committee chairman, the dean of the Texas Congressional Delegation, and my long serving colleague.

Today, Congressman HALL reigns as both the oldest Member of Congress and the oldest House Member known to cast a vote on the House Floor. I am pleased to say that Congressman HALL will also become the oldest person ever elected to a new House term, during the 113th Congress.

Congressman HALL, a lifelong native of the great State of Texas, has been a faithful public servant and has dedicated 32 years of service to representing the constituents of the 4th Congressional District of Texas.

In 1942, Congressman HALL became an aircraft pilot for the United States Navy and served our country during World War II. Congressman HALL soared to the top of military rankings, becoming a senior grade lieutenant.

Congressman Hall, thank you for your service in the Armed Forces in efforts to protect our freedoms and to ensure America is the greatest country on the Earth.

Congressman HALL also served the great State of Texas in both State and local government.

In 1950–1962, he served as County Judge of Rockwall County, Texas.

In 1958–1959, he served as President of the State Judges and Commissioners Association.

He served in the Texas Senate from 1962 to 1972, where he served as President pro tempore for a year.

In addition to a successful early political career, Congressman HALL is an accomplished businessman. He served as:

The President and CEO of Texas Aluminum Corporation,

The General Counsel of Texas Extrusion Company, and

He was a founding member of Lakeside National Bank in Rockwall County.

After his service in State government and achievements in the private sector, Congressman HALL decided to run for U.S. Congress. In 1980, he was elected to serve the Fourth Congressional District of Texas and has been re-elected each succeeding Congress.

Some say that his long tenure in Congress is related to his love for the Fourth Congressional District of Texas. I can attest that Congressman HALL loves his District, and he certainly loves the United States of America. Congressman HALL is often quoted, saying, ''I'd rather be respected at home than liked in Washington.''

Congressman Hall, we need more politicians like you who value the demands of the American people and recognize, we as elected officials, are accountable to those who elect us to office.

While in Congress, Congressman HALL has been the recipient of numerous awards. Among Congressman Hall's many achievements:

He has been credited for helping to advance research and development for new technologies to keep America competitive.

Congressman HALL has worked to utilize abundant domestic energy resources and helped explore alternative energy sources that would lower costs.

He has also played an integral role in ensuring America's preeminence in human space exploration.

I stand proudly before this body of Congress to honor Congressman RALPH HALL. He has contributed so many great things to our country, and he is the epitome of a great leader. I pray that you serve as the oldest Member of Congress for years to come.

Mr. BENISHEK. Mr. Speaker, while today we commemorate Chairman HALL becoming the oldest Member to vote in the House of Representatives, we truly honor him, not for his age, but for the leadership, dedication, and commitment he has displayed since he was first elected to Congress in 1980. When I was first elected to the House two years ago, Chairman HALL asked me to join the Science Committee to bring my experience as a practicing surgeon to the Committee. In this way, Chairman HALL has recognized the experience and backgrounds of our colleagues on both sides of the aisle, newcomers and seasoned politicians alike.

Although Chairman HALL has made many friends here in Washington, what I admire most about him is his genuine commitment to the residents of the 4th district of Texas. As he often says he'd rather be respected at home than liked in Washington. With his gentle disposition and strong leadership, I believe he has found a way to do both.

On behalf of the 1st District of Michigan, and my colleagues on the Science Committee, Chairman HALL I thank you for your service to our country and for your leadership on the Committee, and I commend you on this momentous occasion. I look forward to serving with you for many years to come.

Mr. ROHRABACHER. Mr. Speaker, I rise today to recognize Chairman RALPH HALL for his leadership on the Committee on Science, Space, and Technology; for his decades of selfless service to our country; and for his dedication to this esteemed body.

Today, Chairman HALL became the oldest Member to ever cast a vote in the House of Representatives. He has served in the House for 32 years, occupying the same seat that was once occupied by Speaker Sam Rayburn. RALPH's energy is legendary, second only to his sharp wit, and I hope to have half as much energy as he has when I reach his age.

His service to America started when, as a 19-year-old from Texas, he joined the United States Navy in 1942. Lieutenant HALL served as a pilot for the duration of World War II, and he has never stopped vigorously fighting for our nation.

I look forward to continuing to work with him in the future, and God-willing, he'll be here for 32 more years, continuing to cast every vote the right way.

Mr. Speaker, I ask that you and all of the Members of the House join me in honoring Chairman RALPH HALL for his leadership, his service, and his dedication.

Mr. COSTELLO. Mr. Speaker, I rise today to recognize the esteemed career of my friend and colleague RALPH HALL.

Today, RALPH became the oldest known House Member to cast a recorded floor vote. Also the oldest serving member of the U.S. House of Representatives and dean of the Texas delegation, RALPH has charmed friend and foe alike with his good humor and demeanor.

A man of incredible integrity and energy, RALPH has served his district with distinction in Congress for over three decades. A lawyer by trade, RALPH's career in public service began as a County Judge of Rockwall County, Texas, and he went onto serve in the Texas Senate.

I have served with RALPH on the Science, Space, and Technology Committee and have appreciated his careful attention to the priorities of the Committee members and the science community. As an example, RALPH and I have worked closely to educate Committee members on the benefits of clean coal technologies. Like Illinois, Texas relies on coal for energy production, and our districts and the nation will benefit from technologies that can cleanly and efficiently utilize our most abundant source of energy. I am thankful to RALPH for his commitment to ensuring coal remains a part of a diverse energy portfolio.

Further, I was proud to work with RALPH on important Committee measures, such as reauthorization of the America COMPETES Act, which is critical to ensuring America remains a leader in science, technology, engineering, and math (STEM) education.

Finally, proving time and time again that age has no bounds, I believe RALPH'S most daring feat was his 10,000 foot drop from an airplane last August, skydiving at the age of 89. I admire RALPH's courage for taking that leap and see regularly how his bravery and nerve benefit those he serves. He fights daily for the interests of his constituents and they have continued to affirm his contributions to their community for the last 16 terms of Congress.

Mr. Speaker, I ask my colleagues to join me in an expression of appreciation to Congressman RALPH HALL for his years of dedicated service to the U.S. House and Texas, and to wish him and his family the very best in the future.

THE UNITED STATES ECONOMY AND JOBS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, if the gentleman from Texas would like to finish his statement, I would be happy to yield him 5 minutes.

Mr. HALL. I thank the gentleman—and you are a gentleman. You are my friend and I appreciate you.

I just think we need to get together and remember the most important part of all of us is our children and our children's futures. That's why we all get together, and that's the reason for us to change some of the positions we've taken in the past—to try to work something out that the American people expect us to.

You're a gentleman to offer me that. Maybe I've used part of that 5 minutes. Thank you very much.

Mr. GARAMENDI. You had a lot of people speaking to your extraordinary career here, and I didn't want to cut it short. Your advice is sound and, hopefully, taken by all of us.

Mr. HALL. My mother always told me to be silent and be thought a fool rather than to open my mouth and remove all doubt. So I don't want to get to talking too much. It's been too good

tonight. All these people have said things, and I care for them. I care for this institution. I care for the people on both sides of this aisle. I'm honored to get to be a part of this.

Thank you. God bless this country.

Mr. GARAMENDI. Thank you, Mr. HALL.

Apparently, a lot of people would agree given your extraordinary career and the work that you've done here in Congress over these many, many years and decades.

Part of what you've spent a good deal of your career working on, Mr. HALL, has been the improvement of the American economy. Tonight, I'd like to join a couple of my colleagues on the Democratic side to talk about the economy and to talk specifically about jobs and the things that we can do here in the waning days of this Congress to create some job opportunities.

We've got some very heavy lifting here in Congress in the next month and a half. Everybody wants to talk about the fiscal cliff. Some talk about an austerity bomb. Others talk about what needs to be done to lift the debt limit. All of these issues are before us—tax increases or not. Underlying all of that, foundational to all of that, is putting Americans back to work, getting Americans back into their jobs. If we do that, we will clearly increase employment. When you increase employment, you also increase tax revenue to the Federal Government, to State governments, and to local governments.

So our principal task, as I see it—and I think I'm joined by many of my colleagues, both Democrat and Republican—is to get the American economy going, to put it back in gear, and there are many reasons beyond just employment and the opportunities that families have to make it.

One of the critical elements in all of this is to protect Americans. We recently saw superstorm Sandy smash into New Jersey and New York. It had devastating results: loss of life, an incredible loss of property—both public and private—and a very, very big cleanup bill. Joining me in a little while will be some of our Representatives from the State of New York, and they'll talk about that in detail. But before Sandy ever hit the coast, there was a need here in America to protect Americans from storms and floods. We know what happens when the protection isn't there—devastating results.

In the news today, in northern California, there was in the headlines a series of storms coming to northern California—into my district, where my home is. The word is to get ready for serious flooding. I mean, this is very early in the season; although, Californians with any memory at all will know that there are a series of infamous Christmas floods in northern California. Now, this is really a Thanksgiving flood potential, but nonetheless, it's there.

I will tell you clearly that the Sacramento region, which is the second most risky region in the Nation for flooding and flood damage, is right at the center of this storm. So that's the city of Sacramento. Perhaps 100,000 or more people are in serious jeopardy. Should a levee break in that region—and those levees are not up to 200-year standards—people would have less than 20 minutes to find high ground, to get out. It's an impossible situation. So we need serious infrastructure improvement—and that's Sacramento. The rest of my new district goes further north into Marysville and Yuba City, along the Sacramento River further north, and along the Feather and Yuba River—again, communities at high risk. Serious infrastructure needs to be developed. Levees need to be improved, upgraded, enhanced; otherwise, citizens are at risk, just as they were on Staten Island.

This is our responsibility. This is not only a local responsibility and a State responsibility—this is a national responsibility. This is when we become a national community, looking out for each other—in providing the basic infrastructure to protect us. We also have infrastructure that is necessary for commerce: our roads, our highways, our Internet systems, our rail transportation systems. All of these infrastructure items are critical to the economic well-being of America in addition to the human and commerce safety of this Nation. We're going to talk about that tonight.

Joining me is my colleague from New York. He has been working on this issue for some time. He has a project and a program that he is proposing, one that caught my attention. I've asked him to come and join us.

In being from the State of New York, we are talking about something that's very, very real for you. Please tell us what this is all about.

Mr. HIGGINS. I want to thank my colleague from California for his leadership on the infrastructure issue.

I think the problem that we see here in Washington is that the discussion is focused on the wrong thing. When you have a recession—an economic contraction—what your objective needs to be in terms of public policy is growth, growth in the economy. What we are experiencing now is anemic growth. For example, our growth rate is about 2 percent or less. That current rate of growth is not enough to sustain the current level of employment. In other words, if we don't grow this economy, our unemployment rate will necessarily go up.

We talk about debt and deficit in this Chamber, but if we remember, less than 12 years ago, we had a budgetary surplus of $258 billion, meaning that we were taking in $258 billion more in each year than we were spending. How was that possible?

□ 2030

It was made possible by having created 22 million private sector jobs in the previous 8 years. What was the policy then? The policy was to invest in the American economy, to invest in the American people, in education, scientific research and infrastructure. So I think the lessons from our most recent past are very instructive today as to what we should be doing in Washington to promote growth.

The gentleman from California spoke of a plan that I was working on, and that is a $1.2 trillion investment in rebuilding the roads and bridges of America. That plan, advanced by the New America Foundation, would create 27 million private sector jobs in 5 years. The first year alone, over 5 million jobs which would reduce the current unemployment rate from where it is today to 6.4 percent and in the second year, 5.2 percent.

Now, public infrastructure as we know is a public responsibility. It's never a question as to whether or not we're going to rebuild our roads and bridges. The question is when does it make most sense to undertake that responsibility. And I would submit to you, the time to do it is now. Money is cheaper than it is ever going to be. Equipment is cheaper because it is idling, and labor is cheap because of the high unemployment rate.

We need to do nation-building right here at home. And when you consider we just spent as a nation $89 billion rebuilding the roads and bridges of Afghanistan, we just spent $67 billion rebuilding the roads and bridges of Iraq, nations of 30 million and 26 million respectively. And for this Nation, for America, a population of over 300 million people, and the American Society of Civil Engineers puts the quality of our infrastructure at a D, when the World Economic Forum rates us 24th in overall quality when in 2001 we were number two, we are going to spend less than $53 billion. That's not only weak; it's pathetically weak.

Mr. GARAMENDI. Mr. HIGGINS, thank you so very, very much for bringing this issue in very stark terms to our attention. You caught my attention earlier when we were talking about this; but here on the floor, this is a $1.2 trillion program that could create 27 million jobs in the next 5 years, and those are economic analyses that have been done by the New America Foundation.

Mr. HIGGINS. That's correct.

Mr. GARAMENDI. How do we pay for this again?

Mr. HIGGINS. Well, you pay for it as you pay for transportation improvements at the local, State, and Federal level. You issue debt to finance the life of the project.

Mr. GARAMENDI. The same way we build and own our homes. We borrow the money to build that personal infrastructure, our home.

Mr. HIGGINS. That's right.

Mr. GARAMENDI. Now, the borrowing rate for the Federal Government on a 10-year note is a little over 1 percent or hovering around 1 percent now?

Mr. HIGGINS. A little over 1 percent for a 5-year Treasury note. It's one-half of 1 percent.

Mr. GARAMENDI. That's virtually free money.

Mr. HIGGINS. It's virtually free money.

Mr. GARAMENDI. Now, it does run up the debt; but we are using that money to create infrastructure, a necessary investment for the economy to grow and to protect ourselves.

Mr. HIGGINS. That's right. And according to Transportation for America, there are 69,000 structurally deficient bridges in the United States. There are over 2,000 structurally deficient bridges in New York State. There are 99 structurally deficient bridges in my community of western New York. Every second of every day, seven cars drive on a bridge in this Nation that is structurally deficient.

Mr. GARAMENDI. Well, we saw what collapse can do with the Minnesota bridge and the loss of life. We saw what inadequate infrastructure protecting New Jersey and New York can do with extraordinary loss of public investment as well as private investment—and lives.

Joining us for this discussion on jobs and creating jobs is part of what we like to call the east coast-west coast team. Congressman PAUL TONKO, you and I are often here on the floor to talk about how we can grow the American economy in a bipartisan way. This infrastructure notion that Mr. HIGGINS has brought to us I think has considerable merit and fits, I think, very easily with what President Obama has recommended in his American Jobs Act, which was an immediate $50 billion enhancement of the $60 billion that we would otherwise spend, bringing the total to over $100 billion in the coming year. Again, enormous infrastructure.

Mr. TONKO, I know you are up on this issue. We have spent time talking about it in the past. Why don't you share with us your thoughts.

Mr. TONKO. Sure. And, Representative GARAMENDI, thank you for bringing us together for an hour of discussion on what is very important: growing jobs, strengthening our economy and strengthening the fabric of our communities by addressing public safety via investment in infrastructure, a very sound investment. It is always a pleasure to join you. It is an honor to serve in the New York delegation with Representative HIGGINS, BRIAN HIGGINS, who served with me, or I with him, perhaps better stated, in the New York State Assembly where I sat on the Transportation Committee. And I was seated on that committee right in 1987, in the shadow of the collapse of a New York State thruway bridge where 10 people perished. We recently commemorated the 25th anniversary of that event. It was very tragic, and it was in the heart of my home county, a small county of 50,000 people, Montgomery County, New York. And the impact economically that that devastating occurrence brought to bear was incalculable.

So when you talk about, and I listened with interest to the exchange that you and Representative HIGGINS had about how do you pay for it, one way you don't want to pay for it is through an impact on the economy of your local region. The commerce hit that was taken was severe. The loss of dollars to the community was just incomprehensible, and of course the loss of lives which surpasses anything in importance. And interestingly, many of the individuals who were on that victims list were not from the region. So we're all impacted by weak infrastructure no matter in which State that might be because you never know when you're traveling over a situation that is unsafe.

So I think it is a wise investment to go forward and put to work tens of millions of skilled laborers who can make a difference in public safety in our communities, making certain that the soundness of investment and improvement, absolutely essential for our quality of life, for our public safety, for the strengthening of our commerce. And we know that infrastructure improvements—you and I have talked in the past about the infrastructure bank bill. We have talked about ways of leveraging dollars to weaken the impact on the public sector, on the taxpayer. There are ways to do that in very strident terms that allow us to go forward with the commitment and with the investment that is required.

But certainly with the aged infrastructure in this country, and to the earlier point made by Representative HIGGINS, if we can build other nations, and thank goodness that we have helped people strengthen their situation for their own people, but, my gosh, we should take advice, our own advice here, and understand that there is a strong bit of economic growth that occurs when you strengthen your infrastructure—from traditional roads and bridges to rail to communications, wiring our communities, and to the grid.

The grid system has had several tests—designed to run in a monopoly situation, and now being used to wield electrons from region to region, State to State, country to country. So there is a huge, vast involvement of infrastructure there that begs our investment. And I think for sound reasons, for public safety reasons, and for economic recovery purposes, it makes sense; and let's put the people to work, and let's build a stronger community.

Mr. GARAMENDI. It is all about jobs. Thank you very much, Mr. TONKO. Your personal experience in the New York Legislature and in your own community brings this issue into focus here on the floor of this House.

□ 2040

As we build this infrastructure, if we add one additional element to the creation of the infrastructure, something that, again, we've talked about here many times, and that is that we use our money, our taxpayer money, whether it's borrowed or directly paid, that we use that money to buy American-made equipment, so that the steel that goes into the bridges is American-made, the cement made in America, manufactured in America, that we use that American money on American-made equipment.

In other words, make it in America, so we not only are doing the infrastructure and the jobs that come with it, but we also use that to revitalize our manufacturing sector. This is a very powerful way in which we can more rapidly expand the American economy.

I just happen to have two bills that would do that, one for the clean energy industry. If we're going to use our taxpayer money to subsidize the clean energy industry, wonderful. We need to do that for all kinds of reasons, but buy American-made clean energy products, whether it's a solar system or a wind turbine.

And similarly, with regard to transportation, the trains, the buses, the steel, let's buy that in America, American manufacturing.

I noticed a lovely lady joining us from the State of Ohio. It would be MARCY KAPTUR. You've talked about these issues many times. Thank you very much for joining us this evening.

Ms. KAPTUR. Congressman GARAMENDI, I want to say I'm just so privileged to join three such dedicated Members whose States have been wise enough to send them here to Washington. Obviously Congressman GARAMENDI from northern California and Congressman TONKO from the State of New York, the great State of New York, and Congressman BRIAN HIGGINS, also of the State of New York, a little bit upstate.

Mr. GARAMENDI. I thought he was associated with Ohio as much as he is with New York. Isn't he on the border out there somewhere?

Ms. KAPTUR. Well, you know, there's the St. Lawrence Seaway that kind of connects it all as it flows into the Atlantic Ocean.

But I wanted say, you know, many of us, all of us have come through very difficult campaigns in this political year of 2012. But what is wonderful about serving with the three of you is you keep the focus on jobs in this country, and the importance of making goods in America, and where wealth is really created, how we do that as a country, and what it takes to build a great country.

I look at the St. Lawrence Seaway, and I think about Dwight Eisenhower, a great general, led our forces in Europe, and came home and decided that America needed to create the St. Lawrence Seaway so that we would unlock the potential of the Upper Great Lakes and the Lower Great Lakes.

And you say to yourself, today, with some of the limited thinking that some exhibit—of course, no one in this Chamber would ever be accused of that,

right?—but could we do the St. Lawrence Seaway again?

I've had the great privilege of traveling out West—I think I've probably been in every State and almost every congressional district at one point in my career—and to look at the Hoover Dam. And as I admired the dam, I thought to myself, America has it in her to land a man on the moon and to create NASA, but here at home, our public works, do we have the vision?

Do we have a vision big enough today, in the 21st century, to match what those who came before us gave to us that put this continent together?

And as I travel, I see water systems in disrepair. In fact, in my hometown of Toledo, they're trying to find $45 million to put a roof on the water treatment plant, which really needs $500 million to fix.

I go to the new parts of the Ninth District, in the city of Cleveland, and I look at the need for infrastructure repair and, in the same city, so many unemployed people who could be put to work fixing the heart and soul of Cleveland.

Or Lorain, Ohio, the number of brownfields that are there where we're waiting to clear property so that we can clean it up, move the sewage treatment plant, move other assets that are there and create a much greater port on Lake Erie. And I say, do we have it in us?

I know I have it in me to want to do this. But I look back at what our heritage really is, the interstate highway system itself, when, again, during the 1950s, if we think about what was done, there was a time when this country, if you moved from—well, you couldn't move from Ohio to California on roads that intersected. People think that just happened, but it didn't. It took real vision to do that.

All the statistics show that when we invest in infrastructure, that is the most job-rich program that this country could ever promote. And to create efficiencies and intermodal connections—Congressman TONKO talked about fiber optics and about telecommunications and all of the new ways of connecting our country.

I've had the privilege in my career of representing many rural areas that are short, not just on doctors, but on telecommunications capabilities. It isn't just in the heart of Ukraine where people can't communicate; it's in rural America as well.

So I just came down here, I heard you speaking, and I thought, I identify with your cause. Thank you for talking about jobs inside the Congress of the United States. Thank you, Congressman GARAMENDI, Congressman HIGGINS, Congressman TONKO.

Now you all come from what is regarded as the coast, right? But I'm from a coast too, the north coast along Lake Erie, and it's actually quite a long coast when you take a look at it, you unwind it in all the various lakes. So we're coastal America too, and I identify with your cause.

And believe me, the people that sent me here identify with the cause of jobs and economic growth and infrastructure investment in our country to push us far beyond where perhaps Roosevelt and Eisenhower and Kennedy dreamed.

Thank you so very much for this Special Order tonight.

Mr. GARAMENDI. How correct you are to look back to those heroes of the past that laid down the infrastructure. You can actually go back a little bit further. George Washington, in his first year as President of the United States, instructed Alexander Hamilton to develop an industrial policy. One part of that industrial policy was the development of the infrastructure for America's commerce. And it was canals and it was ports and it was roads.

Mr. HIGGINS, so, how are we going to make this happen? You've got $1.2 trillion you want to put out there.

Mr. HIGGINS. Well, I think you made a very good point, particularly with your leadership on the Make It in America initiative. Keep in mind, when you invest in American infrastructure you're buying labor from American businesses. You're buying supplies and material from American businesses. You're buying engineering and design services from American businesses.

And we also forgot a very important element of our economy. It's the thousands of returning veterans who've been serving our country in Iraq and Afghanistan. The unemployment rate today for those returning veterans under the age of 24 is 19 percent.

There was a program started by the Department of Defense, it's now a not-for-profit called Helmets to Hardhats, and what it basically does, it identifies 60,000 American businesses and some of the trade unions. They collaborate to get together to identify veterans who have already had extraordinary training and discipline and leadership and teamwork, and it accelerates their apprenticeship program. So these individuals could be making 60, $70,000 a year, if there was work to be had here.

So it's an investment in America. It's an investment in American businesses, and it says to our returning veterans in a real sincere and genuine way, thank you for your service.

Mr. GARAMENDI. You said earlier that the American Society of Engineers—I think that was the name—said that we have a D rating for infrastructure, and that we need over $2 trillion.

I don't know anybody in my district, where we may have a serious flood in the next 3 days, that says the infrastructure is adequate. They're looking at those levees, and they're watching the water rise, and they're going, this isn't sufficient to protect us. So in a very real sense of just safety, infrastructure is needed. But also, it's needed for employment.

You correctly raised the issue of the veterans coming back, $2 trillion—there's no doubt about the need. America knows there's a need. As the four of us have discussed here, there is a need, even a crying need, and a human safety need right now, not tomorrow, not 10 years from now, but immediately.

□ 2050

The question is: How do we go about making that happen? And here 435 of us and 100 Senators on the other side of this building have the ability to answer the crying need of Americans to build our infrastructure, to give us the jobs to provide the foundation for economic growth, and to protect us. We have that power.

Let's continue our discussion.

Mr. TONKO.

Mr. TONKO. Representative KAPTUR made an interesting point that there was a sense of vision when they pursued the efforts with the St. Lawrence Seaway. There was a sense of vision in my district as a donor area and in Representative HIGGINS' when Governor DeWitt Clinton perceived this Erie Canal as a way to transport goods and to open up the westward movement to spark an industrial revolution. That gave birth not only to a port called New York City, but birth to a necklace of communities called mill towns that became the epicenters of invention and innovation.

So it's that spark of vision that is the first step. And we're going to denounce any of these creative opportunities to invest in nation-building by denouncing it as socialism? Was President Eisenhower a Socialist? Were all those who preceded him or followed him that came up with these great visions—a space program that gave us an unleashing of technology? No, they were thinkers. They were visionaries. They were leaders. That's the first step. And then we develop policy from that vision. We tether it into real terms, and then we invest in the implementation of that policy. That's America at her finest.

If we look back at the Erie Canal history, when they did that, it wasn't easy times. They were tough times. They were tough economic times. And so they stepped up to the plate and said, We're going to do this. It's not easy to launch, but we're going to do it because it's the way through the tough times.

We have tough times now, chronically high unemployment that, for many, preceded the recession. They need opportunity. Our economy grows when we invest in those workers of whom Representative HIGGINS spoke, in those materials and goods that allow for our Nation's businesses to prosper, add jobs, become part of a recovery. So that is all very critical.

I talked earlier about the bridge collapse that spans the Schoharie Creek in upstate New York that you can walk across in the summertime. It was flowing equal to the efforts, the CFS, of Niagara Falls. So there are some economic impacts coming from Mother Nature that are driven by global warming and climate change. So when we do some of these visionary things, incorporate all of the policies so that environmental concerns as policy formats

with economic recovery terms, with energy terms, with transportation can all be woven together and you solve some of our ills where we're being impacted by Mother Nature with natural disasters that are draining our infrastructure, as we witnessed with Sandy all along the east coast, where now tens of billions of dollars of recovery are required.

Let's add the policy dimensions that allow us to reduce the threats from Mother Nature, build our economy by adding jobs and providing for public safety, and creating a state-of-the-art economy driven by transportation, communication, energy transformation with renewables and the like that will cut down on the emission of particles and dangerous substances that are toxic on the ozone layer. That's America at her finest.

And if we do that simple thing of providing vision, followed with policy, followed with resource advocacy, we will have achieved, and brightest, best days lie ahead, not denouncing that thinking as Socialist.

Mr. GARAMENDI. There's a critical moment now. Right now. That moment is seen in the deliberations that are going on here in this Hall, in the Capitol, about the fiscal cliff, about the deficit. And there are those who would suggest that the only way to deal with it is with an austerity program, reduce government expenditures at every level.

There's some evidence cited by Mr. HIGGINS earlier that there's another way of dealing with this, and that is to put people to work, to use the power of government to put people to work, even if that means borrowing money at 1 percent. Putting it into an infrastructure bank to finance projects that have a cash flow, such as your sanitation facility in Toledo, Ohio, or a toll road or the St. Lawrence Seaway, all of which have a cash flow. You could maybe charge a percent and a half. You borrow at 1 percent, you charge a percent and a half, and we build. We put people to work.

Ms. KAPTUR, why don't you pick this up, and then Mr. HIGGINS, and we'll carry on our conversation

Ms. KAPTUR. I thank you, Congressman GARAMENDI. I am really listening carefully to what Congressman TONKO and Congressman HIGGINS have been saying this evening and thinking about what's going on in Ohio, the northern band of Ohio, from Toledo through Cleveland, and the importance of manufacturing and thinking about how hard our businesses and our workers have to compete in a very unlevel global playing field. And I've seen this directly in the automotive industry, where to this day one of the reasons that our automotive industry had difficulty and why it required the Nation to not let it fail and to pay back what was borrowed was because we are in competition with state-managed economies.

For example, I'm a member of the China Commission. And several economists testified before our committee a few years ago that what you really have in operation is market Leninism. I said, Describe to me what you're seeing. Because I've had companies in my district that have business deals in China that have lost billions of dollars. They have paid for goods that have never been received. Now, in a transparent legal system like our own, that could never happen. You have a court system. You have a way of getting your money back. But when you're dealing with a state-managed economy under a market Leninist approach, you have powerful political people pulling the strings that isn't truly a free market.

And so whether you have a closed market in Japan that's still largely closed to automotive products or you have a state-managed economy as in China, then you ask our automotive producers or any company to compete in that kind of environment, you end up harming our domestic production. And one of the reasons we are so elated that our automotive industry is recovering, you see it all over our region, the power of industry to lift people into the middle class and beyond. You can see it everywhere: in suppliers, in restaurants, in theaters, and places where people are going. Even grocery stores, frankly, where people are able to buy more because of the recovery of this powerful, powerful industry.

And I just want to end with one image, which is really hard to capture in words, but one of our companies in Cleveland has the only 50,000-ton press in the United States of America—Alcoa. It is seven stories in magnitude. I feel very privileged as a Representative to have been invited into the company to see this literally mammoth, magnificent machine be able to take parts and form them for industry as well as our defense systems. And it's seven stories high. Three layers on three stories at the bottom just dealing with the hydraulics.

The engineering and the brain power it takes to manufacture high-end goods is incredible. We are so proud of that company and other companies that are able to make it in America, despite all of the unfair global playing fields on which they are asked to play. And we see the components going into the automotive industry, into our defense systems. And we thank the corporate leadership and the workers, those who work very, very hard jobs that help us build the strongest country in the world.

So I just had to say that tonight because you get as excited as I do about actually making things and seeing this genius that takes ideas and engineers them into products that affect all of us and allows America to be the strongest Republic in the world. So I wanted to place that on the record. And thank you for giving me the time to do it.

□ 2100

Mr. GARAMENDI. As you were talking so enthusiastically, I was thinking of some of Carl Sandburg's incredible poetry on the power of America and all that was done there.

Mr. HIGGINS, you brought this to how we can finance our infrastructure, how we can Make It in America, create jobs. Why don't you carry on with that discussion—or take that anywhere that you would like to.

Mr. HIGGINS. Well, I would just say, back to the power of America, you hear in this Chamber a lot of tough talk about China. The best way to respond to China is to stand up to them, to compete with them. They cheat on their currency, they treat their workers poorly, they destroy their environment. But whining about China is not going to resolve this problem; investing in America and the American people will.

You also mentioned the issue of austerity, and I think it's important to bring up. Historically in this Nation, the economy went into recession. We had the Great Depression in the early thirties. The American economy was starting to show signs of anemic growth right after the Great Depression in late 1936. Congress and the President pulled back with austerity measures; the economy went into recession again.

In Japan, in the 1990s, they were experiencing financial problems. They imposed comprehensive austerity measures. That economy remains in a recessionary mode and has been for the last decade. You see what's going on in Europe today; austerity doesn't work. Again, I go back to our recent history. The year 2000, budgetary surplus in this Nation of $258 billion made possible by having created 22 million private sector jobs by investing in infrastructure, scientific research, and education.

The best tax policy is not right or left; it's bringing lost taxpayers back to productivity. That's the best, quickest way to do it, and you're helping American businesses in the process.

Mr. GARAMENDI. Mr. TONKO.

Mr. TONKO. Representative GARAMENDI, again, thank you for bringing us together again.

You talked about that austerity budget that some would advance. I have to tell you another disaster last year, Irene and Lee, that hit as a hurricane and tropical storm, impacted the several counties I represent, from Schoharie in upstate New York, to Montgomery, Schenectady, Rensselaer, Albany. These counties were severely impacted. To talk to the people directly devastated—I mean devastated, lost their homes, everything for which they ever worked—and to tell them we're going to change the rules in the middle of the game on disaster aid, it took fights galore to win that argument on this floor. That austerity approach didn't cut it with folks who might have believed it before the disaster, but certainly not in the midst of.

So we need to be there for situations, not only disastrous situations, but the investment that occurs so that we can

effectively compete. We know in our heart, we know in our minds that there are ways to do this.

I know, just listening to the magnanimous description of the situation in the auto industry that Representative KAPTUR defined for us, on a much smaller scale, but equally significant, I watched some of the businesses in my district retrofit and do that through research in incubator programs and providing for our advanced manufacturing which allows them to add that competitive muscle that enables them to compete in that global marketplace. That made a total difference.

Folks like Kintz Plastics in Schoharie County, New York, where they were engaged in an incubator program with Rensselaer Polytechnic Institute. Some very smart science and tech minds came up with ways to automate what they were doing and trained through the community college their workers to pick up on this new phase of activity within their assembly line process. Today they are successful, but it took investment, investment of capital infrastructure, physical infrastructure, and human structure, training the worker and providing for those relationships to prosper. Everyone wins in that situation.

So we know we have it within us to make this all possible. It talks to investment. It speaks to investment. It speaks to the opportunity that we can provide so that people can have that American Dream tethered in reality, so that it can be within their grasp, so that they can continue to build upon this Nation's significance.

A great nation stays great if it continues to stretch itself. It's about the churning and the turning and becoming more mighty through investment of research, development, retrofitting our manufacturing base. We can win this by doing it smarter. We don't necessarily have to do it cheaper. Do it smarter and you win those contracts that then equate to jobs. Research equals jobs. I see it all the time. It gives birth to new ideas, new product lines, better efficiencies. It drives an economy.

You can't walk away from this tough moment and talk about austere responses. You need creative responses—not just throwing money at a situation, but thinking it through, thoughtful, analytical, economic approaches that then provide for the best policy formats.

The President has offered several ideas that were not taken up in this House. We could grow that economic recovery, which has been slow and steady with 32 consecutive months of private sector job growth. We can expand upon that, and we can create much stronger numbers if we do it wisely.

So I think the American people have spoken. They've spoken to an investment in the middle class, the investment in the American Dream, the investment in ideas and research. We know—we've all talked about it on this floor—where research occurs, that's where manufacturing will network. It will migrate toward that research element. So we are wise to invest in research and to invest in the human infrastructure, the worker. The important significant part of the equation: having that trained, skilled, educated workforce that can make it all happen.

Mr. GARAMENDI. Earlier today I was asked by a reporter from San Francisco about the effect of sequestration and the austerity budget proposals on research in that area. The San Francisco Bay area is one of the great research centers in the world, with the University of California, the laboratory at Berkeley and Lawrence Livermore, Stanford and other institutions in the area. The austerity program that is being proposed will devastate the research.

Years ago—actually, in the mid-eighties, when I was in the California Legislature, we were talking about how to keep the California economy going, and I developed a plan, a program. There were five pieces to it. We've talked about all of those five today. Every one of those five were critical investments that the economy, the society would make.

The first was the best education system in the world. Now, America has an enormous challenge here and we're not measuring up as we should, and that should be a discussion we should have here on the floor perhaps at another day.

The second was the best research. The austerity budget that's out there, the sequestration and other proposals that have been put forward, slash the research budgets of the United States in health care, in energy, in transportation, in manufacturing, in those areas and in those areas that create opportunity.

The third is manufacturing, making things that come from that research and enhancing the current manufacturing technologies using, as you suggested a moment ago, Mr. TONKO, the advanced manufacturing technologies which come from research, and the engineering that goes with it that Ms. KAPTUR discussed a few moments ago.

The fourth was infrastructure. You have to have the foundation for economic growth. Mr. HIGGINS brought to our attention the potential for 26–27 million jobs within the next 5 years by really going full on into building the American infrastructure, repairing what we have and building for the next generations.

The fifth was change. You have to accept change. That means that we have to learn from past experiences here in Congress. Mr. HIGGINS very correctly pointed out the economic history when a recession was about to recede because of government policies but austerity was implanted and a new recession commenced. We ought to take cognizance of that.

□ 2110

So we have to change and grow and learn. Those are the five things I often talk about.

Let's carry on this discussion. We have about another 10 minutes. And maybe if each one of us takes 2½ or so minutes, we can wrap up in time. I think I started with Mr. HIGGINS and then Ms. KAPTUR, Mr. TONKO, and then I will say good night to all.

Mr. HIGGINS.

Mr. HIGGINS. Again, I want to thank you for your leadership on these issues and for bringing us together tonight to discuss this important issue. Hopefully it will be the first of many or a continuation of this discussion.

But even groups like the United States Chamber of Commerce, they put out a report stating that we will lose $336 billion over the next 5 years because of bottlenecks, because of inefficiency in our infrastructure. You can't identify the problem without supporting a solution.

My point is that Democrats and Republicans in this Nation should come together to support a robust nation-building program right here in America. It benefits American small businesses; it benefits returning veterans; and it has a measurable influence on improving this economy.

The New America Foundation, as I mentioned previously, has a report, ''The Way Forward.'' It's not a right or a left group. It's a centrist group that is very prestigious and basically says, a $1.2 trillion investment in infrastructure—roads and bridges, sewer systems, water systems, the electricity grid—will create 27 million jobs in a 5-year period. It will create 5.2 million in the first year alone. That's 433,000 jobs every month for the first year.

Can you imagine what the stock market would do if the jobs report came out next month and said that we created 433,000 jobs? Our economy is consumer confidence. We are all economic actors. When we're confident, we move; when we're not, we don't.

So I just think it's very clear that what's worked in the past is what will work in creating the kind of economy that everybody in this Nation wants very desperately.

Mr. GARAMENDI. Ms. KAPTUR.

Ms. KAPTUR. Thank you.

I wanted to tie together Congressman HIGGINS' ideas on the Helmets to Hardhats, a program that I have supported, and commend him for his leadership on that, and also Congressman TONKO for the efforts that he's made in suggesting to us that we have to be visionary, and we have to promote new research, new research and development.

One area we have not focused on during these discussions tonight as much as I would hope is housing. Every recovery America has had since World War II has been led by housing, and housing has been in the dumpster for several years now. And one of the ways we do that is think about ways in

which programs like Helmets to Hardhats could identify sectors in communities that were depleted by the Wall Street crisis. And think about how to modernize the manner in which energy is provided to them, for example. So we're not just rebuilding to the past but building the future.

In my home community, we have something called Advanced Energy Utility that the Port Authority has established where they can loan funds that are then paid back through the bond offerings they do. And right now it's in its early stages. But one could see where a neighborhood could be identified and new technologies in the building sector brought to bear to create the new neighborhoods of tomorrow.

One company—Owens Corning—in our region has established a new manufacturing plant near Milan, Ohio, building a seven-layer roofing and the most incredible equipment. I defy any Member of Congress to build what they have built there and to bring off these big roles and be able to apply this roofing that I think is going to lead the industry. They could build four new factories depending on sales in the northern environments of the United States and Canada. And I see this and I think, all we have to do is put the parts together to build the residential neighborhoods of a 21st century America.

So I am just proud to join my colleagues tonight. And thank you, Congressman GARAMENDI, for bringing us together, as you so often do, to keep the focus here in the Congress on jobs and economic growth, which is what the American people sent us here to do.

Mr. TONKO. Again, thank you, Representative GARAMENDI. It's great to join with our colleagues here this evening to share thoughts about how we move from a very trying, difficult time into perhaps America's glory days.

I think it's important for us to first acknowledge that every Member elected to serve in this wonderful Chamber of the House of Representatives and those down the road here at the United States Senate, each of us is challenged, required, and responsible to polish that American Dream and make it within the grasp, provide it to be within the grasp of America's working families and those who will grow into the middle class and those who are being further empowered by work, the dignity of work, and stronger outcomes with correct policy formats.

I think that this journey that we've asked to embark upon, by putting our names on the ballot, begins with us: being a people of vision, being a House that provides a vision for America. That tells me we only need to look to our history—recent and some not so recent. But that will instruct us. Our history will instruct us.

We have built a strong Nation. We have provided for growth around the world. We know the secret to the success. We know how we built a Nation. And it took a vision, a New Deal that provided for housing, for manufacturing, for a strong defense, for the opportunity for us, as a Nation, to respect its labor force and insert a value-added connotation for that workforce. That was us in our glory days. And we're going to be even more gloried because of investments that we can make by sound thinking.

The research that we need to provide will enable us to compete. We will create products not yet on the radar screen. And if we think all the products ever needed by society have been conceived and designed and manufactured, then the story's over. But we know better than that. Product lines are coming up as we speak that allow us to use our resources much more wisely.

We are a Nation of abundance. But that means we can't be wasteful. We need to be resourceful. That challenge is out there to us. And as we become resourceful, we become more efficient, and we become more profitable by sound policy. We can do it. We have ways to invest in our infrastructure, invest in research, invest in workforce development, invest in housing, invest in communities. And that investment will earn lucrative dividends. It's not spending. It's investing with the expectation—the rightful expectation, mind you—that we will get that just return.

And so tonight I feel hope for our Nation, driven by a sense of ideals carved by the richness of our history.

Mr. GARAMENDI. Mr. TONKO, thank you very much. Ms. KAPTUR, Mr. HIGGINS, thank you very much.

As I was listening to the three of you and thinking my own thoughts, I'm excited. I'm excited for the prospect of America. I can see the opportunities that are there. I can see the policies coming together. And each of the three of you described specific policies that we could put in place.

I don't know if we can get 27 million jobs from infrastructure. But I do know that we can get millions of jobs from an infrastructure program and, in so doing, lay the foundation for safety, from floods, fires, from other catastrophes that could occur. I know that in doing so, we can rebuild our manufacturing sector by using American-made products in that infrastructure program. I know that we can provide the jobs that Americans desperately want today—not just cheap jobs but real middle class jobs, as all three of you have described.

I am excited. I am excited about the prospect of building America, coming home from the wars and building America, as happened when my father came back from World War II. America went after building. Ms. KAPTUR, you talked about the St. Lawrence Seaway. You talked about the interstate highway, that system that President Eisenhower talked about.

We are on the cusp of a new building in America. We have the wherewithal. We can finance it with really cheap money now. And we can use these projects to repay that money. It's a very exciting time. And it's our responsibility, as Representatives of the 300-plus million Americans, to enunciate that vision, to put in place those programs. And when we do, we'll make it in America. And Americans will make it.

Thank you so very, very much for joining us.

I yield back the balance of my time.

□ 2120

A HOUSE OF CIVILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from California (Mr. LUNGREN) for 30 minutes.

Mr. DANIEL E. LUNGREN of California. Thank you very much, Mr. Speaker. I appreciate the opportunity to be able to share some comments here in the last few weeks in which I am privileged to be a Member of this House. I thought I would read into the RECORD a letter that I penned to my constituents upon the conclusion of my election process. I said at the time:

> I'm satisfied that enough votes have been counted to determine that I will not be representing the citizens of the Seventh Congressional District during the 113th Congress. It was a tough campaign, and I accept the outcome. I congratulate Dr. BERA in his victory, and I wish him well as he accepts this new challenge. It is my hope that Dr. BERA approaches Congress, as have I, with a humble heart, respect for the institution, and a desire to perform his duties in the best interest of the people he represents and the country.
>
> No one can fulfill the obligations of public service alone. The contributions of my wife Bobbi and our family have been inestimable. I could never thank them enough. My staff has worked tirelessly on behalf of others. There are no better public servants anywhere.
>
> I'm proud of the work that we've accomplished representing Californians both in the California Department of Justice and in the United States Congress. The experience of 18 years serving in the House of Representatives and 8 years as California's Attorney General truly has been an honor and one for which I will be forever grateful.
>
> During my time in the House, we were able to build coalitions across the aisle to advance legislation that not only benefited the people of the district, but all Americans. I'm proud of the meaningful working we have achieved with Folsom Dam, our levees, U.S. port security, chemical facility security, cybersecurity, criminal justice reform, immigration reform, national security, human trafficking, reining in government spending, and the myriad of other issues that came before the Congress.
>
> Bobbi and I wish to thank the multitude of volunteers and supporters who were by our side in this effort. Your support is gratifying and humbling, and for that we are immensely grateful.
>
> God bless you, and God bless this land of ours.

I read that to suggest the feelings that I have at this time when I am approaching the end of my service in this House. One of the thoughts that I have as I do that is the question of civility

in this House, in the Congress, in the political dialogue, and in the country at large.

If one examines the history of the House of Representatives, one understands immediately that we are governed not by Robert's Rules of Order, but by, in fact, Jefferson's Manual, the manual authored in the first instance by Thomas Jefferson. If you analyze the spirit—and I believe the letter—of that manual, you will find that President Jefferson believed that vigorous and robust debate was appropriate, but he also understood the nature of man. He understood that we sometimes did not maintain the type of discourse that would be of honor to us and this House. As a result, he envisioned a place for debate, a place for legislating, reflecting the views, aspirations, and hopes of the American people that would guard against the temptation, the tendency, perhaps, to allow the emotions of the day to govern and cause conflict on this House, indeed, physical altercations or confrontations.

One of the manners in which he believed that we could guard against that was to have Members of the House address the presiding officer rather than directly respond to another Member. Some may think this is arcane. Some may think this is outdated. Some may think this is difficult to understand. Yet it serves a purpose. It reminds us that while we're on the floor, that we are here representing this country. We're elected from different districts, but we are here as Members of the U.S. House of Representatives. We address one another through the Chair as the distinguished gentleman or gentlelady from a particular State. We don't call people by their first name. Frankly, if we do call them by their last name, it is an adjective describing the particular person from the State that they represent.

There are those who find it difficult to understand why it is wrong to traverse the well, why it is inappropriate for someone to walk here in the well because this is a large Chamber. It would seem natural that you would move from Point A to Point B. Yet the idea is as I am addressing this House, I am addressing the presiding officer. For someone to traverse the well is in essence an act of rudeness, an act of incivility, a lack of respect for those who are speaking and the institution. It is as if I were speaking to someone immediately in front of me and someone walks between the two of us while we're having the conversation. One would immediately understand that to be not in keeping with proper conduct. Yet I think sometimes we forget the purpose of the rules that we have here.

I would say I was taught when I was a young attorney that you are to be court-ready. If you're a male Member of this House, you are to wear a coat and tie. You could vote easily without a coat and tie. You could vote easily in shorts here. You could vote easily in a T-shirt here. But what would that do? That would in a very real sense demean the institution of the House, and it would suggest that perhaps we weren't ready to do business.

I recall several decades ago when a number of school districts believed that in an effort to increase the level of comportment in school, they would have students wear uniforms. It was unheard of at the time, yet they found that when students wore uniforms, in some ways the ''gang colors'' didn't come into play. People weren't looking at who has the rich clothes versus who has the poor clothes. But more importantly, I remember a comment by someone who was in favor of it and said this reminds the young people that they are there to do work to advance themselves for their future. In other words, it was their ''work clothes.'' That is a similar sort of thing that we do in this institution. Those are just some physical manifestations of the kinds of things that lead to the idea of civility in this House.

The other thing is that we follow the precedents of the House, rulings of the House that guard against us bringing uncivil behavior to this House, that guard against us from violating the spirit of this House. What do I mean by that? One of the rules is you should not do anything that brings the House into disrepute. One of the many precedents in the House is if you engage in a debate in which you question the motivation of your opponent, you question the motivation of a Member of the Senate, you question the motivation of the President, that is considered out of order, and you can be called to account for that.

How do we do it in this place? Again, some would consider it an arcane way. Another Member gets up and asks that the person who has spoken those words have his or her words taken down, and the process is, of course, the reporter transcribes the words, those words are then uttered, they are considered by the presiding officer with the assistance of the Parliamentarian. If, in fact, they're offensive words, unless one is granted unanimous consent to have those words removed from the RECORD, that person is not allowed to speak for the rest of the day.

Some would say what is that? It's like timeout in a schoolyard. No, it really goes to the essence of this place. We are here as representatives of the people of the United States from particular districts and particular States, but part of our purpose in representing our constituents is being able to articulate on their behalf, being able to argue on their behalf, being able to speak on this floor. Therefore, the penalty of not being able to speak on the floor goes not just to the Member, but goes to those he or she represents. They are rendered silent for that day. If you really think about it, that is, in fact, a particularly pernicious punishment because it goes to your ability to represent your constituents.

It seems to me that those who have been privileged to serve in the House, less than 11,000 in the entire history of this body, have an obligation to understand that this is beyond each and every one of us. It is the institution, the continuing perpetual institution of democracy in our country. We should be very proud to be a part of that. Civility should be a part of that. Tough, vigorous, robust debate should be a part of it. Insulting, demeaning language, calling into question the motivation of another ought to have no place here.

And while we are here—someone suggests in a cocoon—that is, the Chamber of the House, I would rather consider it to be a venerable place. A symbol of the institution with the words of our national motto is above the very rostrum: ''In God we trust.'' As we think about that, we also should understand that we are part of more than just this institution. We are a part of the society in which we play, hopefully, a significant role.

□ 2130

The manner in which Members get to have the opportunity to represent their constituents is through a process that we call ''political.'' It is through an electoral process, and the electoral process reflects our society as well as giving guidance to our society. There, I fear, the level of civility has been diminished. Let me give you an example—and I'm not suggesting in any way that this made the difference in my election, but it is my observation, having been a part of it, that the rules of civility have been tossed aside.

There was an ad run against me and the gentleman from Florida and others, but it was made specific to each of us and our individual races in which they had a girl who was approximately 5 years old, looking into the camera, asking this question, ''Why does DAN LUNGREN want me to die?'' as did a 19-year-old, who indicated that he had suffered some paralysis from an accident, as did an approximately 40-year-old woman for some disease she had.

Stunning. Stunning.

The only thing I could see on the other side of the philosophical divide would be someone who was an Army vet, having been paralyzed, sitting in a wheelchair, looking at the camera, and saying about a Member who had voted against a defense bill, Why do you want me to die? Why do you want me to be in a wheelchair?

In either case, the civility is out the window. The ability to talk about an issue that is underlying is lost. In the example I gave, the questions would be, was it an appropriate level of funding for defense? Were there certain problems with the defense bill? Not, do you want this veteran to die?

In the case that I cited in which I was the subject of that ad, the issue was embryonic stem cell research, not the question of what is the moral and ethical thing to do in a very difficult circumstance. I remember when President of the United States George W. Bush

had a national address to the country in which he talked about the difficult moral and ethical decision about whether you would have lines of stem cell research allowed that originated from embryos. It was the question of when life begins. Is that an individual? Is it a potential individual? Is it an individual who has any rights?

None of that talked about in the ad.

There was the question of umbilical cord blood stem cells, of which I have been privileged to be a leader with CHRIS SMITH from New Jersey and others, and of having a press conference, I remember, with the great basketball star Dr. J, because, in fact, we had found that using blood cord stem cells had actually already been applied to some people with success, including, I believe, to some in this Nation who suffered from sickle-cell anemia.

Forgetting totally about adult stem cells, the ad appeared the very week that the Nobel committee announced its prize for medicine to the two scientists who had unlocked the key in the ability to take adult stem cells and reprogram them back to induced pluripotent cells, meaning that they had the capacity to become different types of cells. Then, in just the 2 weeks before, I believe it was a German experiment in which they successfully cured paralysis in dogs by using cells from the dog's nasal passages.

There can be a legitimate debate about the moral and ethical concerns surrounding stem cell research and embryonic stem cell research, but to have an ad that reduces it to the question of whether a 5-year-old can look in the camera and say, ''Why does this Congressman want me to die?''—how does that elevate the debate? How does that in any way enhance our ability to make very difficult decisions?

Does that condemn anybody who happens to have traditional values consistent with the traditional teachings of the Catholic church and other churches to be ridiculed? To be condemned for a lack of concern for fellow human beings? And to have the ad run in the last weeks of the campaign without any ability to respond to it. I ask you, is that civil?

That ad was produced by the pro-majority PAC, by the way, with connections to some Members of the House. They don't have to abide by the rules in terms of advertising, but my question is, where does that leave us as a Nation when we can't talk about difficult, serious issues—issues of morals and issues of ethics and issues of conduct—without reducing it to that level?

Look, I'm, as they say, a big boy. I've been involved in politics and government a long time. I know campaigns can be tough. But is that an excuse for losing any sense of proportionality? Any sense of respect for one another? Any sense of civility?

We hear many in the press decry the level of debate—but yet, not a peep about ads such as that. We hear people decry the lack of respect for one another—but yet, not a mention made of ads like that, which, I think, eliminate civility.

Some would say the rule of traversing the well while someone is speaking is unnecessary. Why would you complain about that? If you don't understand the basis of civil conduct in the House, you would say that makes no sense at all. If you do understand it, you will understand that it is part and parcel of the entire complex of things we do that either shows respect or disrespect for the institution we serve and for our fellow Members.

I'm not a Pollyanna. I've seen campaigns since I was a very little kid. I think I was 4 or 6 years old when I handed out literature for one of my neighbors who was running for Congress for the first time. I've been blessed to be involved with this. It has been a great ride to be able to represent my fellow constituents here in the House of Representatives in two different tours of service and as the California attorney general. I want tough and vigorous and robust debate, but I do wonder whether the coarseness of the debate, whether the lack of any respect for another's thoughts or another as a person makes us a better or a lesser Nation.

There is something called ''appeal to the better angels of human nature.'' Maybe once in a while we ought to do that here. Maybe once in a while we ought to not only listen to a great speech by Abraham Lincoln or a great speech by Martin Luther King, Jr. or a tremendously written statement by George Washington, but maybe we ought to listen to what they say, and how they say it, and the respect with which they held those who may have disagreed with them.

This is a great institution, representing the greatest country on the face of the Earth. So I don't say this as a loser's lament. Maybe it's a lover's lament. I love this country. I love the State that I represent. I love the people of this country. It is in a real sense an unconditional love, but it is not an uncritical love. We have an obligation to review, to criticize, to constantly guard against the lesser angels of human nature. You can do that with all the vigor in the world, and you can do that with all the respect in the world. If, in fact, we wish to solve the problems of this Nation, recognizing that there has to be some work across the aisle, perhaps the first way in which we do it is to think, how can I be civil in the discussion that I have even though I think my opponent, my counterpart on the other side of the aisle, is dead wrong?

□ 2140

I always thought Ronald Reagan had the best attitude. I would probably sum it up this way. They said that he always saw the glass as half full rather than half empty, but I always thought he had what I called the openness of a confident and a cheerful conservative. He believed that we ought to conserve essential values of this country; we ought to avoid the fad of the day. And he believed that we ought to be proud in expressing our point of view. But I do believe he also thought that he could sit down with just about anybody and attempt to persuade them, much like my friend and someone who I considered almost a brother, Jack Kemp.

I used to say about Jack: I'm sure there's somebody out there who doesn't like Jack Kemp, but I don't think Jack ever met someone he didn't like. And I don't think Jack Kemp and I don't think Ronald Reagan ever believed they met a man or woman that they couldn't persuade to their side.

And maybe if we kept that in mind, how do we continue to work by putting all of our effort into persuading not only our side but persuading those who disagree with us to the rightness of our position, we might in fact find and they may find that we have far greater commonality of interest and approach than we ever thought.

Now, Mr. Speaker, if you know me at all, you know that I don't give up easily. You know that I don't back down from a fair fight or any fight. And you know that I believe deeply in those principles and values that brought me to this place, and I believe deeply that I have not lost them. But I do respect those who have a different point of view, and I respect their sincerity and I respect their genuineness, but I can question their judgment without calling into question their motivation.

And maybe that's the summation of what I'm trying to say here. I have had the great privilege of serving this House for almost two decades. I've had the great privilege of serving 8 years as California's attorney general, so 26 years in public service as an elected official. I don't give up on this place. I don't give up on this country. I don't give up on its people. We've always had difficult times, and the key to solving those difficult times is to recognize their difficulty, recognize their presence, and recognize that we have no right to say it's not our job. When we are in this place in this time, it is our job.

And I would hope and I would pray that we would approach that, and my colleagues would approach that, and those that come after in this new Congress, that they would approach it with a sense of civility and a sense of love of this country. And if we do that, I have no fear for our future.

Thank you, Mr. Speaker, and with that, I yield back the balance of my time.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 16, 2012, she presented to the President of the United States, for his approval the following bills.

H.R. 2606. To authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.

H.R. 4114. To increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes

ADJOURNMENT

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 28, 2012, at noon.

EXPENDITURES REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third quarter of 2012 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER M. STEWART, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN AUG. 25 AND SEPT. 5, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Jennifer M. Stewart	8/25	8/28	Turkey		602.00		18,000.00				18,602.00
	8/28	8/30	Jordan		572.00						572.00
	8/30	9/02	Israel		1,494.00						1,494.00
	9/2	9/4	Yeman		484.00						484.00
	9/4	9/5	United Arab Emirates		0.00						0.00
Committee total											21,152.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN A. BOEHNER, Speaker of the House, Oct. 26, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Harold Rogers	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Hon. Norman Dicks	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Hon. Ken Calvert	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Hon. Tom Cole	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Hon. Ander Crenshaw	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Hon. Lucille Roybal-Allard	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Anne Marie Chotvacs	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
James Kulikowski	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs									1,419.89		1,419.89
Part Commercial Airfare							(4) 2,351.70				2,351.70
William Inglee	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Clelia Alvarado	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
Erin Kolodjeski	7/1	7/4	Czech Republic		1,499.00						1,499.00
	7/3	7/3	Poland								
	7/4	7/8	Italy		1,285.00						1,285.00
	7/6	7/6	Algeria								
Misc. delegation costs							(3)		2,130.15		2,130.15
John J. Bartrum	8/6	8/9	Guatemala		649.00						649.00
	8/9	8/14	Brazil		1,926.00						1,926.00
Misc. embassy costs									2,558.00		2,558.00
Commercial airfare							6,422.90				6,422.90
Jennifer Gera	8/19	8/25	Finland		2,433.00						2,433.00
Misc. transportation costs							230.22				230.22
Commercial airfare							1,564.00				1,564.00
Lisa Molyneux	8/19	8/25	Finland		2,433.00						2,433.00
Commercial airfare							9,771.00				9,771.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Tom Graves	8/3	8/4	Mexico		271.40						271.40
	8/4	8/6	Colombia		692.80						692.80
	8/6	8/7	Paraguay		190.00						190.00
	8/7	8/9	Argentina		681.34		(3)				681.34
Brooke Boyer	8/5	8/8	Colombia		1,091.66						1,091.66
Misc. embassy costs									66.66		66.66
Misc. transportation costs							65.00				65.00
Commercial airfare							1,623.70				1,623.70
BG Wright	8/5	8/8	Colombia		1,091.66						1,091.66
Misc. embassy costs									66.66		66.66
Misc. transportation costs							66.00				66.00
Commercial airfare							1,623.70				1,623.70
Megan Rosenbusch	8/5	8/8	Colombia		1,091.66						1,091.66
Misc. embassy costs									66.66		66.66
Misc. transportation costs							75.00				75.00
Commercial airfare							1,623.70				1,623.70
Hon. Jack Kingston	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs									(3)	3,735.00	3,735.00
Hon. Adam Schiff	8/14	8/15	Kenya		350.00						350.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs									2,386.91		2,386.91
Part Commercial Air							[3] 5,879.40				5,879.40
Hon. Steve Austria	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs							(3)		3,735.00		3,735.00
Hon. Kevin Yoder	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs							(3)		3,735.00		3,735.00
Elizabeth Bina	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs							(3)			3,735.00	3,735.00
Tom O'Brien	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs							(3)			3,735.00	3,735.00
Susan Adams	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs							(3)		3,735.00		3,735.00
Clelia Alvarado	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/15	South Sudan								
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Misc. delegation costs							(3)		3,735.00		3,735.00
Erin Kolodjeski	9/5	9/7	Haiti		496.00						486.00
Commercial airfare							1,452.50				1,452.50
Jennifer Miller	8/26	8/28	Turkey		602.00						602.00
	8/28	8/30	Jordan		571.34						571.34
	8/30	9/2	Israel		1,494.00						1,494.00
	9/2	9/4	Yeman		484.00						484.00
Hotel taxes and service charge									58.14		58.14
Misc. transportation costs							155.00				155.00
Commercial airfare							12,496.00				12,496.00
Joseph Levin	9/24	9/26	Switzerland		966.00						966.00
	9/26	9/29	France		1,017.95						1,017.95
Hotel taxes									62.15		62.15
Misc. transportation costs							243.45				243.45
Commercial airfare							2,163.70				2,163.70
Jennifer Hing	9/24	9/26	Switzerland		966.00						966.00
	9/26	9/29	France		1,017.95						1,017.95
Hotel taxes									62.15		62.15
Misc. transportation costs							243.45				243.45
Commercial airfare							2,867.30				2,867.30
Taunja Berquam	9/24	9/26	Switzerland		966.00						966.00
	9/26	9/29	France		1,017.95						1,017.95
Hotel taxes									62.15		62.15
Misc. transportation costs							243.45				243.45
Commercial airfare							2,163.70				2,163.70
Hon. Robert Aderholt	9/24	9/26	Mexico		596.07		(5)				596.07
Commercial airfare							1,255.52				1,255.52
Hon. David Price	9/24	9/26	Mexico		535.98		(5)				535.98
Commercial airfare							1,233.75				1,233.75
Kathleen Kraninger	9/24	9/26	Mexico		699.71		(5)				699.71
Commercial airfare							1,853.00				1,853.00
Stephanie Gupta	9/24	9/26	Mexico		699.71		(5)				699.71
Commercial airfare							1,853.00				1,853.00
Committee total					71,239.85		59,520.14		54,255.87		185,015.86

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Part military air transportation.
[5] Part domestic travel to Texas (reported separately).

HON. HAROLD ROGERS, Chairman, Oct. 30, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Slovakia, Georgia, Yemen, Djibouti, Spain, June 29–July 6, 2012:											
Hon. Bill Shuster	6/30	7/2	Slovakia		365.30						365.30
	7/2	7/4	Georgia		396.00						396.00
	7/4	7/4	Yemen								
	7/4	7/5	Djibouti		342.97						342.97
	7/5	7/6	Spain		276.00						276.00
Hon. Duncan Hunter	6/30	7/2	Slovakia		365.30						365.30
	7/2	7/4	Georgia		396.00						396.00
	7/4	7/4	Yemen								
	7/4	7/5	Djibouti		342.97						342.97
	7/5	7/6	Spain		276.00						276.00
John Wason	6/30	7/2	Slovakia		365.30						365.30
	7/2	7/4	Georgia		396.00						396.00
	7/4	7/4	Yemen								
	7/4	7/5	Djibouti		342.97						342.97
	7/5	7/6	Spain		276.00						276.00
Visit to Japan, Guam, Singapore, Australia, July 14–July 22, 2012:											
Ryan Crumpler	7/15	7/16	Japan		157.00						157.00
	7/17	7/19	Guam								
	7/19	7/20	Singapore		145.00						145.00
	7/21	7/22	Australia		302.00						302.00
Commercial transportation							20,053.10				20,053.10
Craig Greene	7/15	7/16	Japan		157.00						157.00
	7/17	7/19	Guam								
	7/19	7/20	Singapore		145.00						145.00
	7/21	7/22	Australia		302.00						302.00
Commercial transportation							20,053.10				20,053.10
Brian Garrett	7/15	7/16	Japan		72.00						72.00
	7/17	7/19	Guam								
	7/19	7/20	Singapore		101.00						101.00
	7/21	7/22	Australia		207.00						207.00
Commercial transportation							20,157.10				20,157.10
Visit to Guam, Viet Nam, August 5–12, 2012:											
Hon. Joe Wilson	8/7	8/9	Guam								
	8/9	8/10	Viet Nam		278.00						278.00
Commercial transportation							6,192.15				6,192.15
Hon. Madeleine Bordallo	8/7	8/9	Guam								
	8/9	8/10	Viet Nam		278.00						278.00
Commercial transportation							6,192.15				6,192.15
Craig Greene	8/7	8/9	Guam								
	8/9	8/10	Viet Nam		278.00						278.00
Commercial transportation							6,358.46				6,358.46
Debra Wada	8/7	8/9	Guam								
	8/9	8/10	Viet Nam		278.00						278.00
Commercial transportation							6,103.68				6,103.68
Visit to Afghanistan, United Arab Emirates, August 13–17, 2012, With STAFFDEL Stewart:											
Robert L. Simmons	8/14	8/15	United Arab Emirates		329.66						329.66
	8/15	8/16	Afghanistan		28.00						28.00
Commercial transportation							9,747.90				9,747.90
Visit to Israel, Lebanon, Turkey, Italy, August 11–19, 2012:											
Catherine McElroy	8/11	8/14	Israel		1,289.13						1,289.13
	8/14	8/15	Lebanon		192.70						192.70
	8/15	8/17	Turkey		457.00						457.00
	8/17	8/19	Italy		700.77						700.77
Commercial transportation							10,763.50				10,763.50
Kimberly Shaw	8/11	8/14	Israel		1,314.13						1,314.13
	8/14	8/15	Lebanon		192.70						192.70
	8/15	8/17	Turkey		432.00						432.00
	8/17	8/19	Italy		750.77						750.77
Commercial transportation							7,868.20				7,868.20
Alexander Gallo	8/11	8/14	Israel		1,289.13						1,289.13
	8/14	8/15	Lebanon		192.70						192.70
	8/15	8/17	Turkey		457.00						457.00
	8/17	8/19	Italy		723.77						723.77
Commercial transportation							10,306.50				10,306.50
Michael Casey	8/11	8/14	Israel		1,489.13						1,489.13
	8/14	8/15	Lebanon		192.70						192.70
	8/15	8/17	Turkey		557.00						557.00
	8/17	8/19	Italy		800.77						800.77
Commercial transportation							10,626.50				10,626.50
Visit to Thailand, Burma, India, Azerbaijan, Austria, September 4–10, 2012, With CODEL Rohrabacher:											
Hon. Doug Lamborn	9/4	9/5	Thailand		103.00						103.00
	9/5	9/5	Burma								
	9/5	9/7	India		577.69						577.69
	9/7	9/8	Azerbaijan		627.65						627.65
	9/8	9/10	Austria		1,105.22						1,105.22
Visit to Brazil, Argentina, Chile, Colombia, September 23–30, 2012:											
Catherine Sendak	9/23	9/25	Brazil		215.00						215.00
	9/26	9/26	Argentina		121.00						121.00
	9/26	9/28	Chile		198.00						198.00
	9/28	9/30	Colombia		210.00						210.00
Commercial transportation							10,745.50				10,745.50
Kevin Gates	9/23	9/25	Brazil		215.00						215.00
	9/26	9/26	Argentina		121.00						121.00
	9/26	9/28	Chile		198.00						198.00
	9/28	9/30	Colombia		210.00						210.00
Commercial transportation							10,745.50				10,745.50
Jamie Lynch	9/23	9/25	Brazil		215.00						215.00
	9/26	9/26	Argentina		121.00						121.00
	9/26	9/28	Chile		198.00						198.00
	9/28	9/30	Colombia		210.00						210.00
Commercial transportation							10,745.50				10,745.50
Paul Lewis	9/23	9/25	Brazil		313.00						313.00
	9/26	9/26	Argentina		121.00						121.00
	9/26	9/28	Chile		198.00						198.00
	9/28	9/30	Colombia		210.00						210.00
Commercial transportation							10,745.50				10,745.50
Timothy McClees	9/23	9/25	Brazil		313.00						313.00
	9/26	9/26	Argentina		121.00						121.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	9/26	9/28	Chile		198.00						198.00
	9/28	9/30	Colombia		210.00						210.00
Committee total					24,559.43		177,404.34				201,963.77

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. HOWARD P. ''BUCK'' McKEON, Chairman Oct. 24, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Carolyn Maloney	8/19	8/20	Spain		321.32		(3)				321.32
	8/20	8/23	Germany		1028.00		(3)				1,028.00
Kristofor Erickson	8/19	8/20	Spain		261.32		(3)				261.32
	8/20	8/23	Germany		943.00		(3)				943.00
	8/23	8/25	England		1370.00		(3)				1,370.00
William W. Liles	8/19	8/20	Spain		286.43		(3)				286.43
	8/20	8/23	Germany		923.33		(3)				923.33
	8/23	8/25	England		1455.00		(3)				1,455.00
Christopher Russell	8/19	8/20	Spain		291.32		(3)				291.32
	8/20	8/23	Germany		967.00		(3)				967.00
	8/23	8/25	England		1420.00		(3)				1,420.00
Hon. Scott Garrett	8/19	8/20	Spain		296.32		(3)		1,199.00		1,495.32
	8/20	8/23	Germany		1003.00		(3)		4,574.00		5,577.00
	8/23	8/25	England		1435.00		(3)				1,435.00
Committee totals					12,001.04				5,773.00		17,774.04

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. SPENCER BACHUS, Chairman, Oct. 31, 2012.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Kristin Jackson	8/20	8/23	Mexico		807.57		1,331.28		427.00		2,565.85
Hubbell Knapp	8/20	8/23	Mexico		812.57		1,331.28				2,143.85
Hon. Karen Bass	8/13	8/15	Kenya		700.00		7,826.10		2,071.17		10,597.27
	8/15	8/15	South Sudan				(3)				
	8/15	8/18	Tanzania		563.10		(3)		1,225.16		1,788.26
	8/18	8/19	Spain		220.69		(3)				220.69
Hon. Dennis Cardoza	7/4	7/9	Monaco		2,254.00		1,433.00				3,687.00
Sajit Gandhi	7/4	7/9	Monaco		2,194.00		1,433.00				3,627.00
Hon. Dennis Cardoza	8/4	8/5	Ireland		866.85		(3)				866.85
	8/5	8/7	Greece		860.77		(3)				860.77
	8/7	8/8	Italy		962.00		(3)				962.00
	8/8	8/9	Spain		544.34		(3)				544.34
	8/9	8/10	Portugal		531.06		(3)				531.06
Alan Makovsky	8/30	9/4	Czech Rep.		860.40		1,922.20				2,782.60
Hon. Dan Burton	6/29	6/30	Latvia		252.95		(3)		5,354.45		5,607.40
	7/1	7/3	Kazakhstan		720.00		(3)		4,411.10		5,131.10
	7/3	7/5	Kyrgyz Republic		622.00		(3)				622.00
	7/5	7/6	Tajikistan		372.07		(3)				372.07
	7/6	7/7	Uzbekistan		399.00		(3)				399.00
	7/7	7/8	Spain		364.84		(3)				364.84
Hon. Ted Deutch	6/29	6/30	Latvia		252.95		(3)				252.95
	7/1	7/3	Kazakhstan		720.00		(3)				720.00
	7/3	7/5	Kyrgyz Republic		622.00		(3)				622.00
	7/5	7/6	Tajikistan		372.07		(3)				372.07
	7/6	7/7	Uzbekistan		399.00		(3)				399.00
	7/7	7/8	Spain		364.84		(3)				364.84
J. Brady Howell	6/29	6/30	Latvia		252.95		(3)				252.95
	7/1	7/3	Kazakhstan		720.00		(3)				720.00
	7/3	7/5	Kyrgyz Republic		622.00		(3)				622.00
	7/5	7/6	Tajikistan		372.07		(3)				372.07
	7/6	7/7	Uzbekistan		399.00		(3)				399.00
	7/7	7/8	Spain		364.84		(3)				364.84
Brent Woolfork	6/29	6/30	Latvia		240.76		(3)				240.76
	7/1	7/3	Kazakhstan		706.00		(3)				706.00
	7/3	7/5	Kyrgyz Republic		396.57		(3)				622.00
	7/5	7/6	Tajikistan		307.87		(3)				372.07
	7/6	7/7	Uzbekistan		324.00		(3)				399.00
	7/7	7/8	Spain		353.84		(3)				364.84
Hon. Jean Schmidt	6/29	6/30	Latvia		252.95		(3)				252.95
	7/1	7/3	Kazakhstan		720.00		(3)				720.00
	7/3	7/5	Kyrgyz Republic		614.38		(3)				614.38
	7/5	7/6	Tajikistan		372.12		(3)				372.12
	7/6	7/7	Uzbekistan		299.00		(3)				299.00
	7/7	7/8	Spain		366.03		(3)				366.03
Hon. Greg Meeks	6/29	6/30	Latvia		246.76		(3)				246.76
	7/1	7/3	Kazakhstan		720.00		(3)				720.00
	7/3	7/5	Kyrgyz Republic		622.00		(3)				622.00
	7/5	7/6	Tajikistan		324.87		(3)				324.87
	7/6	7/7	Uzbekistan		423.00		(3)				423.00
	7/7	7/8	Spain		364.84		(3)				364.84
Brian Wanko	6/29	6/30	Latvia		252.95		(3)				252.95
	7/1	7/3	Kazakhstan		720.00		(3)				720.00
	7/3	7/5	Kyrgyz Republic		622.00		3,371.00				3,993.00

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Dan Burton	9/3	9/5	Azerbaijan		857.39		10,033.00				10,890.39
	9/5	9/5	Georgia								
	9/5	9/8	Armenia		767.42				1,002.20		1,769.62
J. Brady Howell	9/3	9/5	Azerbaijan		857.39		10,033.00				10,890.39
	9/5	9/5	Georgia								
	9/5	9/8	Armenia		767.42						767.42
Hon. Steve Chabot	8/12	8/13	Libya		47.00		10,212.60				10,259.60
	8/13	8/14	Egypt		245.29						245.29
	8/15	8/15	Kenya		477.50				24.43		501.93
Kevin Fitzpatrick	8/12	8/13	Libya		47.00		10,756.10				10,803.10
	8/13	8/14	Egypt		245.29						245.29
	8/15	8/15	Kenya		477.50						477.50
Hon. Elton Gallegly	6/30	7/3	Portugal		807.00		(3)		8,097.00		8,904.00
	7/3	7/4	Spain		345.00		(3)		115.96		460.96
	7/4	7/9	Croatia		1,488.33		(3)		5,820.00		7,308.33
Steven Sutton	6/30	7/3	Portugal		807.00		(3)				807.00
	7/3	7/4	Spain		272.00		(3)				272.00
	7/4	7/9	Croatia		1,462.33		(3)				1,462.33
Sarah Leiby	8/26	8/29	Kenya		925.00		10,885.17				11,810.17
	8/29	9/3	South Sudan		1,160.00						1,160.00
Jacquiline Quinones	8/26	8/29	Kenya		925.00		10,885.17				11,810.17
	8/29	9/3	South Sudan		1,160.00						1,160.00
Greg McCarthy	8/6	8/8	Pakistan		371.00		12,741.64				13,112.64
	8/8	8/11	India		1,091.00				2,949.19		4,040.19
	8/11	8/15	Sri Lanka		1,131.00				2,168.00		3,299.00
Sajit Gandhi	8/6	8/8	Pakistan		363.00		12,776.64				13,139.64
	8/8	8/11	India		1,091.00						1,091.00
	8/11	8/15	Sri Lanka		1,122.00						1,122.00
Christina Jenckes	8/6	8/8	Pakistan		357.00		12,776.64				13,133.64
	8/8	8/11	India		1,129.00						1,129.00
	8/11	8/15	Sri Lanka		1,133.00						1,133.00
Diana Ohlbaum	8/6	8/8	Pakistan		357.00		12,776.64				13,133.64
	8/8	8/11	India		1,129.00						1,129.00
	8/11	8/15	Sri Lanka		1,131.00						1,131.00
Greg Simpkins	8/4	8/7	Senegal		568.00		5,288.60				5,856.60
	8/7	8/9	Cote d'Ivoire		613.00				1,306.00		1,919.00
Jacquiline Quinones	8/4	8/7	Senegal		565.00		5,323.60				5,888.60
	8/7	8/9	Cote d'Ivoire		619.00						619.00
Eric Williams	8/7	8/9	Cote d'Ivoire		619.00		4,005.10				4,624.10
Kristal Quarker	8/4	8/7	Senegal		572.00		5,323.60				5,895.60
	8/7	8/9	Cote d'Ivoire		613.00						613.00
Janice Kaguyutan	9/1	9/4	Jordan		1,290.00		(4)				1,290.00
	9/4	9/8	Turkey		1,617.00						1,617.00
Hon. Dana Rohrabacher	9/4	9/5	Thailand		238.32						238.32
	9/5	9/5	Burma								
	9/5	9/7	India		595.36						595.36
	9/7	9/8	Azerbaijan		368.80				3,999.21		4,368.01
	9/8	9/10	Austria		708.00						708.00
Hon. Ted Poe	9/4	9/5	Thailand		238.32		(3)				238.32
	9/5	9/5	Burma				(3)				
	9/5	9/7	India		389.60		(3)				389.60
	9/7	9/8	Azerbaijan		254.80		(3)				254.80
	9/8	9/10	Austria		392.00						392.00
Paul Berkowitz	9/4	9/5	Thailand		238.32						238.32
	9/5	9/5	Burma								
	9/5	9/7	India		595.36						595.36
	9/7	9/8	Azerbaijan		368.80						368.80
	9/8	9/10	Austria		708.00						708.00
Committee total					66,337.41		152,465.36		38.970.87		258,149.27

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] TBD—figures not submitted.

HON. ILEANA ROS-LEHTINEN, Chairman, Oct. 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Bonnie Bruce	8/22	8/23	Palau		182.00		5,244.90		127.85		5,372.75
Brian Modeste	8/22	8/23	Palau		182.00		5,306.90		168.74		5,475.64
Committee total					364.00		10,551.80		296.59		10,848.39

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DOC HASTINGS, Chairman, Sept. 30, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jason Chaffetz	7/13	7/15	China		707.00						707.00
	7/15	7/17	Korea		700.00						700.00
Commercial airfare							10,350.60				10,350.60
Thomas Alexander	7/13	7/15	China		707.00						707.00
	7/15	7/17	Korea		700.00						700.00
Commercial airfare							10,350.60				10,350.60
Hon. Dennis Ross	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Hon. Todd Platts	8/10	8/12	Morocco		496.05						496.05
	8/12	8/15	Kenya		1,050.00						1,050.00
	8/15	8/18	Tanzania		563.10						563.10
	8/18	8/19	Spain		220.69						220.69
Committee total					7,473.68		20,701.20				28,174.88

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DARRELL E. ISSA, Chairman, Oct. 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. RALPH M. HALL, Chairman, Oct. 24, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jason Altmire	6/30	7/2	Bratislava		186.00		(3)				186.00
	7/2	7/4	Georgia		196.00		(3)				196.00
	7/4	7/5	Yemen-Djibouti		115.00		(3)				115.00
	7/5	7/6	Spain		276.00		(3)				276.00
Hon. Blake Farenthold	6/30	7/2	Bratislava		186.00		(3)				186.00
	7/1	7/4	Georgia		196.00		(3)				196.00
	7/4	7/5	Yemen-Djibouti		115.00		(3)				115.00
	7/5	7/6	Spain		276.00		(3)				276.00
Hon. Jason Altmire	7/13	7/15	China		707.00		10,350.60				11,057.60
	7/15	7/17	South Korea		700.00						700.00
Hon. Daniel Lipinski	8/30	9/6	Italy		2,645.27		4,754.00				7,399.27
Hon. Randy Hultgren	9/2	9/4	Germany		241.25		(3)				241.25
	9/4	9/7	Sweden		483.00		(3)				483.00
	9/7	9/9	Norway		352.00		(3)				352.00
Committee total					6,674.52		15,104.60				21,779.12

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JOHN L. MICA, Chairman, Oct. 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Kenny Marchant	8/20	8/23	Germany		1,028.00						1,028.00
	8/19	8/20	Spain		321.32						321.32
	8/23	8/25	England		1,460.00						1,460.00
Neena Shenai	9/13	9/18	India		1,469.51		10,770.08		78.00		12,317.59
Committee total					4,278.83		10,770.08		78.00		15,126.91

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Devin Nunes	8/4	8/6	Europe		513.67						
	8/6	8/7	Europe		326.00						
	8/7	8/8	Europe		378.00						
	8/8	8/8	Middle East								
	8/8	8/10	Middle East		591.00						
	8/10	8/12	Middle East		474.00						
	8/12	8/13	Europe		392.00						
	8/13	8/15	Europe		569.76						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	8/15	8/18	Europe		1,706.00						
Commercial airfare							15,017.50				
George Pappas	8/4	8/6	Europe		513.67						
	8/6	8/7	Europe		326.00						
	8/7	8/8	Europe		378.00						
	8/8	8/8	Middle East								
	8/8	8/10	Middle East		591.00						
	8/10	8/12	Middle East		474.00						
	8/12	8/13	Europe		392.00						
	8/13	8/15	Europe		569.76						
	8/15	8/18	Europe		1,706.00						
Commercial airfare							12,305.00				
Carly Scott	8/4	8/6	Europe		513.67						
	8/6	8/7	Europe		326.00						
	8/7	8/8	Europe		378.00						
	8/8	8/8	Middle East								
	8/8	8/10	Middle East		591.00						
	8/10	8/12	Middle East		474.00						
	8/12	8/13	Europe		392.00						
	8/13	8/15	Europe		569.76						
	8/15	8/18	Europe		1,706.00						
Commercial airfare							12,481.50				
Hon. Mike Rogers	8/20	8/22	Middle East		319.00						
	8/22	8/23	Middle East		296.32						
	8/23	8/24	Middle East		660.50						
Commercial Airfare							12,556.00				13,831.82
Michael Allen	8/20	8/22	Middle East		319.00						
	8/22	8/23	Middle East		296.32						
	8/23	8/24	Middle East		660.50						
Commercial airfare							11,620.80				12,896.62
Chelsey Campbell	8/20	8/22	Middle East		319.00						
	8/22	8/23	Middle East		296.32						
Commercial airfare							11,620.80				12,236.12
Hon. Mike Thompson	8/23	8/26	South America		783.00						
Commercial airfare							1,283.40				2,066.40
Nate Hauser	8/23	8/26	South America		783.00						
Commercial airfare							1,137.90				1,920.90
Linda Cohen	8/23	8/26	South America		783.00						
Commercial airfare							1,137.90				1,920.90
Jamil Jaffer	9/4	9/5	Africa								
	9/5	9/6	Africa								
	9/6	9/7	Africa		164.31						
	9/7	9/8	Africa		541.00						
Commercial airfare							16,120.50				16,825.81
Khizer Syed	9/4	9/5	Africa								
	9/5	9/6	Africa								
	9/6	9/7	Africa		164.31						
	9/7	9/8	Africa		541.00						
Commercial airfare							16,120.50				16,825.81
Committee total											133,179.67

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MIKE ROGERS, Chairman, Oct. 31, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Robert Aderholt	7/7	7/9	Monaco		278.00		3,466.30				3,744.30
Mark Milosch	7/6	7/9	Monaco		417.00		3,271.10				3,688.10
Robert Hand	7/10	7/14	Austria		998.00		1,885.20				2,883.20
Allison Hollabaugh	7/24	7/28	Austria		457.57		1,602.40		170.87		2,230.84
Shelly Han	9/10	9/15	Czech Republic		1,506.42		1,888.30				3,394.72
Kyle Parker	9/23	9/29	Poland		1,689.65		1,460.50				3,150.15
Alex Johnson	7/1	8/15	Austria		15,642.00						15,642.00
Orest Deychakiwsky	9/20	9/25	Belarus		1,690.00		3,154.00				4,844.00
Janice Helwig	8/13	8/21	Uzbekistan		1,717.00		11,848.70				13,565.70
	9/4	9/23	Austria		5,881.15		3,158.40				9,039.55
Committee total					30,276.79		31,734.90		170.87		62,182.56

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Chairman, Oct. 23, 2012.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8431. A letter from the Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Requirements for Official Establishments to Notify FSIS of Adulterated or Misbranded Product, Prepare and Maintain Written Recall Procedures, and Document Certain Hazard Analysis and Critical Control Point System Plan Reassessments [FDMS Docket No.: FSIS-2008-0025] (RIN: 0583-AC34) received November 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8432. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dinotefuran; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2012-0755; FRL-9366-3] received November 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8433. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Xylenesulfonic acid, sodium salt; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0951; FRL-9361-3] received November 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8434. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Farmer

Mac Investment Management (RIN: 3052-AC56) received November 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8435. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Enforcement of Subsidiary and Affiliate Contracts by the FDIC as Receiver of a Covered Financial Company (RIN: 3064-AD94) recieved November 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8436. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Assessments, Large Bank Pricing (RIN: 3064-AD92) received November 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8437. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the FY 2011 report on activities to preserve and promote minority ownership of insured financial institutions; to the Committee on Financial Services.

8438. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the State of New York since October 27, 2012, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

8439. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the South Coast Portion of the California State Implementation Plan, CPV Sentinel Energy Project AB 1318 Tracking System [EPA-R09-OAR-2010-1078; FRL-9751-3] received November 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8440. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Middle Class Tax Relief and Job Creation Act of 2012; Establishment of a Public Safety Answering Point Do-Not-Call Registry [CG Docket No.: 12-129] received November 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8441. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the seventeenth quarterly report on the Afghanistan reconstruction; to the Committee on Foreign Affairs.

8442. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

8443. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning methods employed by the Government of Cuba to comply with the United States-Cuba September 1994 ''Joint Communique'' and the treatment by the Government of Cuba of persons returned to Cuba in accordance with the United States-Cuba May 1995 ''Joint Statement'', together known as the Migration Accords, pursuant to Public Law 105-277, section 2245; to the Committee on Foreign Affairs.

8444. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period June 1 through July 31, 2012 pursuant to Section 620C(c) of the Foreign Assistance Act of 1961 as amended; to the Committee on Foreign Affairs.

8445. A letter from the Associate Director for PP&I, Department of the Treasury, transmitting the Department's final rule — Yemen Sanctions Regulations received November 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8446. A letter from the Associate Director, Department of the Treasury, transmitting the Department's final rule — Iranian Financial Sanctions Regulations received November 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8447. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Audit of the Metropolitan Police Department's Investigations and Preliminary Inquiries Involving First Amendment Activities''; to the Committee on Oversight and Government Reform.

8448. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Fiscal Year 2011 Annual Report on Advisory Neighborhood Commissions''; to the Committee on Oversight and Government Reform.

8449. A letter from the Acting Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Importation, Exportation, and Transportation of Wildlife; User Fee Exemption Program for Low-Risk Importations and Exportations [Docket No.: FWS-HQ-LE-2012-0091] (RIN: 1018-AZ18) received November 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8450. A letter from the Acting General Counsel, National Indian Gaming Commission, transmitting the Commission's final rule — Issuance of Investigation Completion Letters (RIN: 3141-AA49) received November 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8451. A letter from the Acting General Counsel, National Indian Gaming Commission, transmitting the Commission's final rule — Enforcement Actions received November 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8452. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Ventron Corporation in Beverly, Massachusetts, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

8453. A letter from the Regulatory Specialist, Department of the Treasury, transmitting the Department's final rule — Rules of Practice and Procedure; Rules of Practice and Procedure in Adjudicatory Proceedings; Civil Money Penalty Inflation Adjustments [Docket ID: OCC-2012-0011] (RIN: 1557-AD61) November 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8454. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Boise, ID [Docket No.: FAA-2011-1181; Airspace Docket No.: 11-ANM-20] received November 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8455. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kerryville, TX [Docket No.: FAA-2011-1399; Airspace Docket No.: 11-ASW-14] received November 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8456. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Circle Town, MT [Docket No.: FAA-2012-0539; Airspace Docket No.: 12-ANM-10] received November 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8457. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Area Navigation (RNAV) Route Q-62; Northeast United States [Docket No.: FAA-2011-1407; Airspace Docket No.: 11-AGL-25] (RIN: 2120-AA66) received November 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8458. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Fort Garland, CO [Docket No.: FAA-2012-0617; Airspace Docket No.: 12-ANM-18] received November 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8459. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Lakehurst, NJ: Correction [Docket No.: FAA-2012-0456; Airspace Docket No.: 12-AEA-9] received November 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8460. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, ''Fundamental Properties of Asphalts and Modified Asphalts — III''; to the Committee on Transportation and Infrastructure.

8461. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Minor Editorial Corrections and Clarifications (RRR) [Docket No.: PHMSA-2012-0080 (HM-244E)] (RIN: 2137-AE90) received November 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8462. A letter from the Acting General Counsel, National Indian Gaming Commission, transmitting the Commission's final rule — Management Contracts — Background Investigations received November 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8463. A letter from the Public Affairs Specialist, Disabled American Veterans, transmitting the 2012 National Convention Proceedings Of The Disabled American Veterans, pursuant to 36 U.S.C. 90i and 44 U.S.C. 1332; (H. Doc. No. 112—156); to the Committee on Veterans' Affairs and ordered to be printed.

8464. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Joanne Wandry v. Commissioner [AOD: 2012-05] received November 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8465. A letter from the Deputy Commissioner, Social Security Administration, transmitting Annual Report of Payment Recapture Audits in compliance with Section 2(h)(2)(D)(ii) of the Improper Payments Elimination and Recovery Act of 2010; to the Committee on Ways and Means.

8466. A letter from the Secretary, Department of Energy, transmitting a letter regarding the Savannah River Site Building 235-F Safety; jointly to the Committees on Energy and Commerce and Armed Services.

8467. A letter from the Special Inspector General for Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) October 2012 Quarterly Report; jointly to the Committees on Foreign Affairs and Appropriations.

8468. A letter from the Program Manager, Department of Health and Human Services,

transmitting the Department's final rule — Medicare Program; Home Health Prospective Payment System Rate Update for Calendar year 2013, Hospice Quality Reporting Requirements, and Survey and Enforcement Requirements for Home Health Agencies [CMS-1358-F] (RIN: 0938-AR18) received November 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

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. HALL:

H.R. 6603. A bill to authorize research, development, and demonstration activities that increase energy security and affordability by enabling the safe and responsible production of the United States vast domestic unconventional oil and gas resources; to the Committee on Science, Space, and Technology.

By Ms. PELOSI (for herself and Mr. BOEHNER):

H.R. 6604. A bill to designate the federal building currently known as Federal Office Building 8, located at 200 C Street Southwest in the District of Columbia, as the ''Thomas P. O'Neill, Jr. Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself and Mr. SMITH of Texas):

H.R. 6605. A bill to eliminate an unnecessary reporting requirement for an unfunded DNA Identification grant program; to the Committee on the Judiciary.

By Ms. DEGETTE (for herself, Mr. COFFMAN of Colorado, Mr. PAUL, Mr. FRANK of Massachusetts, Mr. BLUMENAUER, Mr. FARR, Ms. LEE of California, Mr. POLIS, Mr. COHEN, and Mr. GRIJALVA):

H.R. 6606. A bill to amend the Controlled Substances Act to provide that Federal law shall not preempt State law; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ELLMERS:

H.R. 6607. A bill to designate the Federal building and United States courthouse located at 300 Fayetteville Street in Raleigh, North Carolina, as the ''Jesse Helms Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mrs. MCCARTHY of New York:

H.R. 6608. A bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KISSELL (for himself, Mr. PRICE of North Carolina, Mr. WATT, Mr. SHULER, Mr. RAHALL, Mr. COOPER, Mr. HASTINGS of Florida, Mr. HARPER, Mr. MICHAUD, and Ms. JACKSON LEE of Texas):

H. Res. 818. A resolution expressing support for designating January 8th as Elvis Presley Day; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

293. The SPEAKER presented a memorial of the Senate of the State of Utah, relative to Senate Concurrent Resolution No. 201 supporting a Balanced Budget Amendment to the Constitution of the United States; to the Committee on the Judiciary.

294. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 19 urging the Congress to enact H.R. 3729; to the Committee on Ways and Means.

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. HALL:

H.R. 6603.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 18

By Ms. PELOSI:

H.R. 6604.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution.

By Mr. CONYERS:

H.R. 6605.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, Clause 18.

By Ms. DEGETTE:

H.R. 6606.

Congress has the power to enact this legislation pursuant to the following:

Amendment X to the Constitution of the United States.

By Mrs. ELLMERS:

H.R. 6607.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular state.

By Mrs. MCCARTHY of New York:

H.R. 6608.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 181: Ms. DELAURO.
H.R. 492: Mr. NADLER.
H.R. 601: Mr. NADLER.
H.R. 718: Mr. YOUNG of Alaska.
H.R. 894: Mrs. DAVIS of California.
H.R. 1005: Mr. BARLETTA.
H.R. 1063: Mr. RUSH and Mr. PERLMUTTER.
H.R. 1265: Mr. OLSON.
H.R. 1322: Ms. MCCOLLUM and Mr. SIRES.
H.R. 1325: Mr. BARLETTA.
H.R. 1358: Mr. WALBERG.
H.R. 1546: Mr. DOYLE.
H.R. 1831: Mr. MASSIE.
H.R. 1867: Mr. BRADY of Pennsylvania, Mr. BLUMENAUER, and Mr. CAPUANO.
H.R. 2103: Mr. CICILLINE.
H.R. 2104: Mr. YOUNG of Indiana, Mr. REYES, and Ms. BERKLEY.
H.R. 2479: Mr. MARKEY.
H.R. 2492: Mr. SESSIONS.
H.R. 2697: Mrs. EMERSON.
H.R. 2823: Mr. LARSEN of Washington and Ms. RICHARDSON.
H.R. 2985: Mr. RANGEL, Ms. HANABUSA, and Mr. WALBERG.
H.R. 3102: Mr. SMITH of Washington, Mr. MURPHY of Connecticut, and Mr. LYNCH.
H.R. 3126: Ms. CASTOR of Florida.
H.R. 3179: Mr. LARSEN of Washington, Mr. GRIJALVA, and Ms. TSONGAS.
H.R. 3307: Mr. ELLISON.
H.R. 3522: Mr. HONDA.
H.R. 3618: Ms. SCHAKOWSKY.
H.R. 3760: Mr. LOBIONDO.
H.R. 3771: Mr. HONDA.
H.R. 3798: Mr. BECERRA.
H.R. 3808: Mr. GINGREY of Georgia.
H.R. 4077: Mr. VAN HOLLEN, Mr. CAPUANO, and Ms. WATERS.
H.R. 4137: Ms. BORDALLO and Mr. KING of New York.
H.R. 4271: Mr. YARMUTH.
H.R. 4336: Mr. WOMACK.
H.R. 4342: Mr. KIND.
H.R. 5749: Ms. EDWARDS.
H.R. 5817: Mrs. MALONEY.
H.R. 5873: Mr. GOSAR.
H.R. 5943: Mr. MCKINLEY.
H.R. 6021: Mr. CLARKE of Michigan.
H.R. 6087: Mrs. NAPOLITANO.
H.R. 6174: Mr. MCCLINTOCK.
H.R. 6200: Mr. CLAY.
H.R. 6258: Mr. SABLAN.
H.R. 6275: Ms. ZOE LOFGREN of California.
H.R. 6364: Mr. MCINTYRE.
H.R. 6372: Ms. HIRONO.
H.R. 6385: Mr. HIGGINS, Mr. CRITZ, Ms. FUDGE, and Ms. SLAUGHTER.
H.R. 6388: Mr. WALSH of Illinois.
H.R. 6400: Mr. LEWIS of Georgia.
H.R. 6402: Ms. FUDGE.
H.R. 6408: Mr. CULBERSON.
H.R. 6429: Mr. JOHNSON of Illinois.
H.R. 6446: Mr. SCHRADER.
H.R. 6463: Mr. COOPER, Mr. CONAWAY, and Mr. WESTMORELAND.
H.R. 6480: Ms. LEE of California.
H.R. 6482: Mrs. MCMORRIS RODGERS.
H.R. 6490: Mr. DAVID SCOTT of Georgia, Mr. FORBES, Ms. BUERKLE, Mr. PETERSON, Mr. LAMBORN, Mr. NUGENT, Mr. GARDNER, Mr. NUNNELEE, Mr. MARINO, Mr. GRIFFIN of Arkansas, Mr. JOHNSON of Ohio, Mr. HARPER, Mr. COHEN, Mr. YOUNG of Florida, and Mr. HURT.
H.R. 6578: Mr. ROGERS of Alabama.
H.R. 6584: Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. CLAY, and Mr. RANGEL.
H.R. 6587: Mr. CALVERT, Mr. MCCLINTOCK, Mr. FARR, Mr. HONDA, Ms. LEE of California, Mr. BERMAN, Ms. LORETTA SANCHEZ of California, Mr. ROYCE, Ms. LINDA T. SÁNCHEZ of California, and Mr. NUNES.
H.R. 6588: Ms. CHU, Ms. SCHAKOWSKY, and Mr. MCGOVERN.
H.J. Res. 47: Mr. CONYERS and Mr. HIMES.
H. Res. 549: Mr. MORAN.
H. Res. 798: Ms. MCCOLLUM.
H. Res. 809: Mr. CALVERT.
H. Res. 814: Mr. CALVERT, Mr. RAHALL, Mr. STIVERS, Mrs. CAPITO, and Mr. CULBERSON.

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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

Eternal God, the source of our joy, thank You for this opportunity to call on Your Name. You have sustained this Nation through the seasons of its existence, and we are depending on You, Lord, to guard our future with Your might.

As our Senators seek to do the work of freedom, deepen their love for those on life's margins. Give our lawmakers this day the gift of Your spirit as they give thanks to You in all things.

Lord, we believe You will lead us through all our tomorrows as You have led us through our yesterdays.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 27, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I now move to proceed to Calendar No. 419, S. 3254, the Defense authorization bill.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 3254) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, we are going to recess, as we normally do on Tuesdays, from 12:30 to 2:15 to allow for our weekly caucus meetings.

We are going to begin consideration of the disabilities treaty this afternoon whether with a vote or with permission. It is a simple majority vote to move to this most important piece of legislation.

MEASURE PLACED ON THE CALENDAR—S. 3637

Mr. REID. Mr. President, I am told that S. 3637 is due for its second reading and is at the desk.

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 (S. 3637) to temporarily extend the transaction account guarantee program, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to this bill at this time.

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

Mr. REID. Mr. President, this is one of the must-do pieces of legislation we have to do before this calendar year ends.

FINDING COMMON GROUND

Mr. REID. Mr. President, too often it is a challenge to find common ground here in Washington. But as we negotiate a path back from the fiscal cliff, we should also recognize when Democrats and Republicans agree. We agree taxes should not go up for anyone making less than $250,000 a year. Now, 97 percent of small businesses and 98 percent of middle-class families would benefit from that.

With common ground in sight, we should be able to act today to avert the fiscal cliff for millions of families and businesses. Even if we disagree on whether to extend tax breaks for the wealthiest 2 percent of Americans, we should agree to hold the middle class harmless and do it today, do it now. A single vote in the House of Representatives would get the job done now. Unfortunately, there is one obstacle standing between Congress and compromise: Grover Norquist. For years Norquist has bullied lawmakers willing to put their oath of office or their promise to serve constituents ahead of their pledge to this antitax zealot. His brand of ideological extremism has been bad for Congress and even worse for the country. So I was pleased to see Republicans in Congress distance themselves from Norquist this week. I appreciate that very much. So do the American people. I am sure their constituents do. Several Republican lawmakers have said revenue should be on

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

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the table during the fiscal cliff negotiations. How common sense is that? Absolutely. It is so clear to everyone except Grover Norquist. It is time now for the Republicans to turn this happy talk into action.

President Obama and Senate Democrats ran on a promise to end the Bush tax breaks for the wealthy. President Obama did not hide that in the last year of his campaign. Every place he went, that is what he talked about. Americans, when they voted, raised their voices and supported our pledge. Congress must act in accordance with the will of the American people.

An agreement to avoid the fiscal cliff must give economic certainty to middle-class families and must protect important tax deductions for families and businesses still struggling to recover from this great recession. It must take a balanced approach to reduce spending. But it must also ask the richest of the rich to pay a little bit extra to reduce the huge deficit we have.

Any balanced agreement will require difficult concessions from both sides—I said both sides. Clinging to the kind of ideological purity Grover Norquist peddles, saying he will never bend or compromise, is easy. Cooperating with those with whom you disagree is hard. Doing what is right for the country despite personal cost is hard. Legislating is hard. As we approach the fiscal cliff, Democrats are ready to make those tough choices. I hope my Republican friends, especially those who claim they put no pledge before their pledge to serve their constituents, can say the same.

RECOGNITION OF THE MINORITY LEADER

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

FISCAL CLIFF

Mr. MCCONNELL. Mr. President, yesterday I came to the floor to discuss what is known as the fiscal cliff, a mix of automatic tax hikes and defense cuts that are set to hit at the end of the year, jeopardizing our security as well as our economy. My message was pretty simple: A solution is possible.

Republicans have been reasonable, and the President needs to lead. He is the only one who can get us to a solution. If that is what he wants, we will succeed. So it was with some concern that I read this morning that the President plans to hit the road next week to drum up support for his own personal approach to the short- and long-term fiscal challenges we face. In other words, rather than sitting down with lawmakers of both parties and working out an agreement, he is back on the campaign trail, presumably with the same old talking points with which we are all quite familiar.

Look, we already know the President is a very good campaigner. We congratulate him on his reelection. What we do not know is whether he has the leadership qualities necessary to lead his party to a bipartisan agreement on big issues such as we currently face. So let me suggest that if the President wants a solution to the challenges of the moment, the people he needs to be talking to are the members of his own party so he can convince them of the need to act. We are not going to solve this problem by creating villains and drumming up outrage. We will solve the problem by doing the hard work of sitting down and figuring out a solution that involves tough choices on all sides.

That gets at another point I made yesterday. In the past, Democrats have demanded tax hikes now for spending cuts that never actually happen. Not this time. A balanced approach means real spending reductions now. And I am not saying this because it is the Republicans' position, although it is. I am not saying this because I have anything against the government, which I do not. I am saying this because it is the only approach that has any chance of working. No credible deficit reduction plan we have seen over the past few years excludes real cuts. If we want to prevent this crisis, Democrats need to be as serious about cutting spending as they are about spending. It is that simple.

By the way, this is an approach Americans overwhelmingly support. According to a recent AP poll, voters prefer spending cuts to tax hikes 62 percent to 29 percent—a more than 2-to-1 margin. Now, there is a reason for this. The American people are not stupid. They know the problem with Washington is not that it taxes too little but that it spends too much. They also know the only reason we are even talking about a looming fiscal crisis right now is because the Democrats have spent the last 4 years creating it.

That is what I would like to focus on this morning—how we got into this mess in the first place—because amidst all of the talk about plans and proposals, it is easy to forget that we did not get here by accident; we got here because Washington Democrats, from the President on down, have done two things exceedingly well over the past 4 years: spent other people's money and kicked the can down the road—spend other people's money and kick the can down the road. For 4 years, Democrats spent money we did not have in the misguided hope that it would help the economy. They have borrowed trillions of dollars to keep unemployment pretty much right where it was when they started. And here is what we have 4 years later: a mountain of debt and a looming national budgetary crisis.

Republicans are happy to talk about how to solve this mess, but make no mistake, we will also talk about how we got here. The reason we are having these negotiations is because Washington Democrats have spent money without any care for the cost or the future and refuse to do anything to protect long-term spending programs, such as Medicare, a failure that is among the biggest single drivers of our debt.

All this reflects a very clear philosophy: For Washington Democrats, every dollar that has ever been secured for anything is sacred—every dollar that has ever been secured for anything is sacred—and they will defend it to the death regardless of what it means for jobs or the economy. But those days are over because you do not eliminate trillion-dollar deficits by taxing the rich—not even close. It may be an effective talking point, but as a matter of policy it is a minor deal, and the Democrats know it. So, as we move into the final stretch, it is time, as I have said, to put the talking points away and get serious about striking a deal.

The first step to recovery is to admit you have a problem. If borrowing more than 40 cents for every dollar you spend does not convince you you have a spending problem, frankly, I do not know what will. If Democrats cannot admit we have a spending problem, they need to talk to their constituents more. They need to get real. That means changing the way things have been done around here for the past few years.

Independent budget experts have been telling us for ages that our long-term budget deficits are driven by the unsustainable health care entitlements. What was the administration's response to that? Their response was to add trillions more by creating an entirely new health care entitlement program. We were promised that the President's health care law would reduce health care costs. What did it do? We are now told health care costs will rise as a share of our economy and the taxpayer's liability. By one estimate, those costs will go up by more than $½ trillion over the next 10 years.

We know the number of Americans 65 or older will increase by one-third over the next 10 years. According to the Census Bureau, there were 40 million older Americans in 2010. There will be 54 million of them a decade after that, and more than 72 million older Americans a decade after that. What are the Democrats doing to ensure the programs they rely upon will actually be there? We cannot ignore the facts. We need to prepare for the demographic changes we know are coming. Medicare is simply too important for millions of seniors to let it continue down the road to insolvency. We must preserve it for today's seniors and strengthen it for those who will retire in the years ahead.

As Congress looks for savings, we need to look at the new health care entitlements too. While Democrats and Republicans may disagree on ObamaCare, it is ridiculous to suggest that we make changes to Medicare and Medicaid while leaving $1.6 trillion in new ObamaCare spending untouched.

For 4 years Democrats have been completely unbalanced in the way they have spent paper dollars. Yet now that the crisis is upon us, they solemnly advise us that we need to be balanced in

our solution. This is how you ensure the expansion of government. This is how you end up with $16 trillion of debt, but it is not how you get out of it. It is not how you solve the problem. You solve the problem by taking tough medicine and tough votes. You solve it by doing something different than what you have been doing all along. You solve it with the help of a President who is willing to lead his party. You don't just change your rhetoric and your talking points while telling your base behind closed doors you aren't going to give any ground. You change your behavior. For Democrats in Washington, as I have said, that means getting serious for a change about cuts. The time for campaigning is over. It is time to act.

NUCLEAR OPTION

Mr. President, yesterday the majority leader and I had a rather spirited discussion about his intention to change the Senate rules outside the process provided in those rules.

When he was in the minority, my friend from Nevada objected strenuously to the very procedure he now wants to employ. He called using a simple majority maneuver to change Senate procedure the ''nuclear option'' and described it as breaking the rules to change the rules. Now that he is in the majority, he says the ends justify the means. He says we have to make the Senate more efficient and we have to violate the Senate rules to do that so he and his colleagues in the majority can implement more easily their vision for America. According to him, these minor changes won't affect anyone who has the thought of making America better.

Let me say that again. The majority leader said these minor changes won't affect anyone who has the thought of making America better. Of course, in the majority leader's world, it will be just he and his colleagues who determine what makes America better.

In short, according to my friend from Nevada, the means by which he wants to achieve his ends don't matter, only his ends matter. That is pretty convenient if you happen to be in the majority at the moment. I say again, at the moment. But convenience or efficiency, as my friend has described it, is not what the Senate has been about.

My friend the majority leader may have put it best in 2006 when he made the first of his commitments to respect the rights of the minority. This is what the majority leader said:

> As majority leader, I intend to run the Senate with respect for the rules and for the minority rights the rules protect. The Senate was not established to be efficient. Sometimes the rules get in the way of efficiency. The Senate was established to make sure that minorities are protected. Majorities can always protect themselves, but minorities cannot. That is what the Senate is all about.

My friend from Nevada then committed that he was going to ''treat my Republican colleagues the way I expect to be treated'' and that he would do everything he could to ''preserve the rules and traditions of the institution that I love.''

Inaccurately describing the essence and wise purpose of the Senate, the majority leader sounded a lot like our former colleague Robert C. Byrd. So I was quite surprised to hear our friend from Nevada assert that Senator Byrd would actually support the heavy-handed tactic he intends to employ.

I am not going to correct all the inaccuracies my friend made yesterday, such as saying four times that it takes 10 days to get out a bill. I don't know what version of Riddick's my friend has been reading, but if it actually took 10 days to get on a bill I might actually support some rule changes myself.

But I must disabuse my friend from Nevada about how Senator Byrd would view the heavy-handed tactic he intends to employ. Unlike the majority leader, I recall when our late colleague spoke on this topic at a Rules Committee hearing the last time the majority leader entertained ''breaking the rules to change the rules.'' Senator Byrd was unequivocally against violating Senate rules to change the rules the way the current majority leader is proposing.

Senator Byrd began by noting that ''Our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and the protection of minority rights. Senators have understood that,'' he stated, ''since the Senate first convened.'' That is Senator Byrd on the history of the Senate.

Senator Byrd also noted that at the Constitutional Convention, James Madison reported that the Senate was to be ''a necessary fence'' in order to ''protect the people against their rulers,'' and ''to protect the people against the transient impressions into which they themselves might be led.''

How did Senator Byrd view the filibuster in the role of the Senate? How did it relate to the Senate as a ''necessary fence''? Senator Byrd said, ''The right to filibuster anchors this necessary fence.''

Senator Byrd acknowledged that this right should not be abused, and that ''there are many suggestions as to what we should do'' if it is abused. He recounted procedures that currently exist under the rules—I say again, procedures that currently exist under the rules—to address it if it is.

As I suggested yesterday, Senator Byrd also indicated that simply working a full week such as most people do—I mean, most people in America have a 5-day work week—by simply working a full week we could address some of these concerns. Senator Byrd bemoaned the fact that ''the Senate often works 3-day weeks.'' In other words, if you want the Senate to be more productive, start working more. It is not rocket science here. That is what Senator Byrd was saying.

But Senator Byrd was clear about what we should never do. He said, ''We must never, ever tear down the only wall—the necessary fence—this Nation has against the excesses of the executive branch and the result of haste and tyranny of the majority.''

Senator Byrd, as we know, was a historian. He was a skillful majority leader who understood the unique importance of the Senate and the need of a majority leader to keep his commitment. But he was also a political realist who had been around enough to understand that political majorities are fleeting, and if you break the rules to suit your political purposes of the moment, you may regret having done so when you find yourself in the minority. Senator Byrd specifically said:

> I strongly caution my colleagues as some propose to alter the rules to severely limit the ability of a minority to conduct a filibuster. I know what it is to be majority leader, and wake up on a Wednesday morning in November and find yourself a minority leader.

To make sure there was no doubt as to his views on the subject, Senator Byrd concluded by unequivocally objecting to the use of the nuclear option that the Senator from Nevada is now proposing. He said:

> The Rules Committee must, however, jealously guard against efforts to change or reinterpret the Senate rules by a simple majority, circumventing rule XXII where a two-thirds majority is required.

My friend the majority leader is no more correct about Senator Byrd's views on the nuclear option, on the idea of breaking the rules to change the rules, than he is about taking 10 days to get on a bill.

I will conclude by reading what are likely the last words Senator Byrd spoke on the subject of the nuclear option, and I encourage my colleagues to reflect on his wise counsel. This is what he said:

> As I have said before, the Senate has been the last fortress of minority rights and freedom of speech in the Republic for more than two centuries. I pray that Senators will pause and reflect before ignoring that history and tradition in favor of the political party of the moment.

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

RULES CHANGES

Mr. REID. To paraphrase Shakespeare, which I don't do too often, I think the Republican leader protests far too much. Now he has gone back to quoting Senator Byrd.

The situation we had when the Republicans were trying to change the rules regarding judges was totally different than what has happened on the floor the last few years. You see, what Democrats were proposing to do, help repair the Senate, is pretty much what Senator MCCONNELL said was necessary in 2005.

For example, Senator MCCONNELL has said that the Senate has repeatedly adjusted its rules as circumstances dictate. Let me quote. In remarks on the

Senate floor in May of 2005, Senator MCCONNELL said:

> Despite the incredulous protestations of our Democratic colleagues, the Senate has repeatedly adjusted its rules as circumstances dictate. The first Senate adopted its rules by majority vote, rules, I might add, which specifically provided a means to end debate instantly by simple majority vote. That was the first Senate way back at the beginning of our country. That was Senate Rule 8, the ability to move the previous question and end debate.

Let me repeat some of the things he said:

> Despite the incredulous protestations of our Democratic colleagues, the Senate has repeatedly adjusted its rules as circumstances dictate.

The same day, Senator MCCONNELL also reported that the Senate has ''often reformed Senate procedure by a simple majority vote.''

When Republicans were in the majority, Senator MCCONNELL said this:

> This is not the first time a minority of senators has upset a Senate tradition or practice, and the current Senate majority intends to do what the majority in the Senate has often done—use its constitutional authority under article I, section 5, to reform Senate procedure by a simple majority vote.

On March 27, 2005, Senator MCCONNELL told Fox News that the Senate can change the rules with 51 votes. McConnell said:

> Well, obviously you would need 51 votes to do it. I'm confident that we would have 51 votes if the majority leader decides to do it. I believe it should be done if we cannot get accommodations from the Democrats.

So what has changed in the last few years since those statements were made? Well, for one thing under Leader MCCONNELL Republican Senators have mounted filibusters so much more on a regular basis.

We talked here yesterday about the motions to proceed. I had a meeting this morning with one Senator who has been in the Senate for 30 years. He said, Why are you only changing the rules this much?

Look how simple the rule changes are that we are making, motions to proceed. Let us talk about that. I have a piece of legislation on the floor, as we have on a number of occasions. That has to sit for a couple of days. Once that happens and they won't let us on the bill, they won't let us on anything, I have to file cloture. Let us say I may do that on a Wednesday after a bill lays there for a couple of days, so we can have a Friday cloture vote.

But, Mr. President, having been here not very long, you know that is not the end of it. We have got cloture when we really haven't because there is 30 hours of idle time to do zero, nothing. Then after the 30 hours, you are on the bill, and to get off the bill you have to go through the same process again.

I talked to three Republican Senators yesterday and they said, Explain that to me. I said, Well, for the approximately 9 or 10 days that we waste on getting on a bill, we could, if you guys let us on a bill, we could be offering amendments for 4 or 5 days instead of waiting for 30 hours to expire and all of that.

Also, we have this crazy idea that if you are going to have a filibuster, you have to stand and say something, not hide in your office someplace or go to a wedding that you are having in your State. Then we also are doing the incredulous thing of saying if we want to go to conference on a bill, rather than having three filibusters necessary to overcome with cloture, we would do it once.

Those are the simple changes we are making, and Senator MCCONNELL was right when he said that despite the incredulous protestations of our Democratic colleagues, the Senate has repeatedly adjusted its rules as circumstances dictated. We are making simple changes. We are not changing the Constitution, we are not getting rid of the filibuster. We are making three simple rules changes. As my friend the Democratic Senator from New Mexico, who is retiring, my friend who has been here 30 years, said Why is that all you are doing?

Under Leader MCCONNELL, Republicans have mounted filibusters on things that don't matter. The motion to proceed, he said, well, that allows us to get—I am paraphrasing—that allows us to get set and have an idea what will happen on the bill itself.

That is nonsense. It is only as the leader indicated at the beginning of this Congress, his No. 1 goal is to defeat President Obama. We have been able to get nothing done because of that. The American people are sick of it.

In the 109th Congress, from 2005 to 2006, when the Republicans were in the majority, there were very few filibusters. In the next Congress, when the roles were reversed, Republicans, they have done—I give this example, which is so understandable to everybody. Lyndon Johnson, majority leader for 6 years—I will have 6 years at the end of this year—had one cloture motion. Me? I think we are up to about 386 now. In this Congress we have had 110 filibusters and we have weeks to go. It is even in the New York Times. They say: Oh, he has filled the legislative tree. The New York Times reported I did that 19 times—out of 110 filibusters. Had they let us get on a bill, there wouldn't be any need to fill the tree. We could have spent that time having amendments.

Republicans have increased the number of filibusters so out of proportion to any changes that have been in the Senate it is hard to comprehend. The Senate is not working as it should. Everyone in America—and that is kind of an exaggeration, I acknowledge that—maybe not everyone, but as I travel around the country trying to help my candidates get elected and raise money, people say: What are you going to do to change the filibuster? This is awful. What is going on?

That is what they say. They expect Washington, the Senate, to work like ''Mr. Smith Goes to Washington,'' not idle time with quorum calls and waiting for 30 hours to expire on meaningless 30-hour postcloture time. We are not getting rid of that with regular filibusters, but we are getting rid of it on a motion to proceed.

The Senate isn't working. Apart from Senator MCCONNELL and his troops, basically everybody in America agrees the Senate is not working.

In the Senate, as in any human institution, there will always be plenty of blame to go around, but let's call it like it is. Two long-time Senate watchers, Thomas Mann and Norm Ornstein—one representing a progressive think tank, the other a conservative think tank—wrote this:

> We have been studying Washington politics and Congress for more than 40 years, and never have we seen them this dysfunctional. In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party.

I didn't make that up. They wrote it; two of the foremost Congress watchers this country has ever had. That is what they wrote. Objective outside observers are calling it like it is. The current Republican minority is abusing the Senate rules. So, in response, to quote Senator MCCONNELL:

> The current Senate majority intends to do what the majority in the Senate has often done—use its constitutional authority under article I, Section 5, to reform Senate procedure.

We plan to do so to help repair the Senate. I am sorry there are those who are criticizing me that we are not doing more, but we are doing this. We get rid of the motion to proceed and have people come and present their faces—as Senator DURBIN said in a more explicit way, put their rear ends here in the Senate—rather than someplace outside Capitol Hill.

This is the right thing to do. We need to repair the Senate. It is not working, and at the start of the next Congress we intend to do our utmost to take some modest steps to make it work better.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, I certainly agree the Senate isn't working. We get a few days in between recesses, rarely work at night, and almost never do anything on Thursday. That is entirely within the purview of the majority leader.

It is true that a few years back, when my party was in the majority, we contemplated changing the rules, but cooler heads prevailed and we didn't. The fundamental issue, as my friend lays out, is that he wants to break the rules to change the rules. In other words, he and I are not negotiating on these issues. He is deciding what will be the rule in the Senate. He will break the rules in order to change the rules. That is all anybody listening to this debate needs to understand. What the majority leader is going to do is he is going

to break the rules to change the rules—one party only.

We ought to be negotiating rule changes. Rule changes ought to be proposed by the majority leader and the minority leader together that would surpass the 67-vote threshold, if it is designed to protect the Senate from the whims of new majorities. There is always a temptation when a party is in the majority to want to change the rules to benefit themselves at the expense of others. It is particularly absurd to do it right now because anything Senate Democrats would gain out of that would go nowhere in the House. So there is no practical purpose served by this. All it does is put on record that Senate Democrats are willing to break the rules to change the rules. That is the fundamental issue. Rules changes ought to be negotiated by the two leaders, as they have been down through the years, and then proposed together.

As I have indicated on several occasions—and I will say again—I think the frustrations the majority leader has had could have been easily solved by putting some of his young Members in the Chair and breaking down some—one person—trying to make it difficult to get on to a bill. All this could have been fixed. Rather than complaining about it, just do something about it. That is what I would have done, if I had been in his shoes. He has chosen not to do that.

Rather than point fingers and continue to campaign—look, the campaign is over. You guys had a pretty good day. You are in the majority. But you can't seem to turn the campaign off. You just keep running it forever. So here we are with this explosive nuclear option being thrown into the Chamber at a time when we ought to be turning the election off and trying to come together to solve the biggest problem, which I talked about first, which is the fiscal cliff and the Nation's seemingly hopeless debt and deficit situation. That is what we ought to be doing. Instead, my friends on the other side just can't keep from continuing to celebrate the election. You won. Now, why don't we govern. The way to govern is to try to bring this body together.

The Senate has been built over the years on collegiality. We have always had some personalities on both sides who made it a challenge for whoever the majority leader was. I can remember back when we were in the majority and Howard Metzenbaum from Ohio would sit out here on the floor and read every bill. He was a royal pain in the you know what to whoever the majority leader was at the time. The Senate survived all that. We didn't engage in a rules change dictated by whoever was in the majority at the moment.

This is exactly the wrong way to start off on a new year and to end an old year with a ton of problems that we have to deal with. Here we are, as a result of this suggestion that we employ the nuclear option, arguing about arcane rules changes when we ought to be sitting down together and trying to solve the Nation's huge deficit and debt problems.

But the fundamental issue is this: Is the majority going to break the rules to change the rules? That is the issue before the Senate. Are we going to break the rules to change the rules—employ the nuclear option, fundamentally change the body, not have a negotiation between the two leaders about what adjustments might be appropriate to make the Senate work better. Oh, no, we are going to do it on our own.

I think it is a huge mistake not only for the Senate, but it will impact obviously our short-term ability to come together and to work on the big problems the country sent us to solve.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the Republican leader is entitled to his own opinion but not his own facts, and we seem to have a revision of facts that simply are not accurate. I served with Senator Metzenbaum. He understood the rules. We always worked through them. There was not a big deal with that. He slowed things down a little bit, but that is what Senators do.

Also, remember who said that a simple majority would do it? MITCH MCCONNELL. I am not breaking the rules to change the rules. Here again is what Senator MCCONNELL said:

> The first Senate adopted its rules by majority vote, rules, I might add, which specifically provided a means to end debate instantly by simple majority vote. That was the first Senate way back at the beginning of our country.

That is true. I would also say——

Mr. MCCONNELL. Would the majority leader yield on that point?

Mr. REID. Sure.

Mr. MCCONNELL. Did the Senate majority at that time, made up of Republicans, choose to go forward and do that? We did not do it. We did not use the nuclear option. There was a lot of discussion about it which related to judicial appointments, but in the end the majority chose not to do it.

Mr. REID. I respond to my friend, the point is that rules have been changed by simple majority for a long time. That is what Senator MCCONNELL said in 2005 and that is accurate.

I would also say this, and I say this as respectfully as I can about the deceased Senator Byrd. I think people will recall, those who served in the Senate when Senator Byrd was around, that I was referred to as his pet. OK. He took very good care of me. We had a relationship that was very unique. I cared a great deal about this man. But don't misquote him.

Leader Byrd made clear he was willing to force a majority vote if he needed to. Here is what Senator Robert Byrd said:

> The time has come to changes the rules. I want to change them in an orderly fashion. I want a time agreement. But barring that, if I have to be forced into a corner to try for a majority vote, I will do it because I am going to do my duty as I see my duty, whether I win or lose.

I can see that man with his white hair, standing straight and tall, saying that. That is a direct quote from Robert Byrd. I am in the same position he was. The Republicans have made the Senate dysfunctional, and I have asked my caucus to support me for some simple changes—simple changes. I went over them. The vexatious motion to proceed that was never abused until this Congress by these Republicans we are going to change, and that is the way it should be.

Talk about all the time we are wasting not talking about the fiscal cliff is poppycock. The Republican leader is the one who is coming to the floor engaging in these conversations, not me. There are going to be no rules changes until the next Congress. This isn't taking away from the fiscal cliff arguments at all that either side might have.

I would also say this. Before coming here, I was a trial lawyer, and I am proud of the fact that I was. I tried lots of cases. I had many jury trials—over 100. But I also settled hundreds and hundreds of cases. One never felt comfortable going to trial because what we always wanted to do was to settle the case before that. Even in the cases we were forced to go to trial, with rare exception, the other side—either plaintiff or defendant, whichever side you weren't on—would come to say, why don't we try to work something out, and here is my idea.

But here we have a unique deal. I have a Republican leader saying why doesn't he negotiate with us. Our proposal is there, which is to simply change the motion to proceed, have a talking filibuster, and do something about the way we go to conference. If the Republican leader doesn't like that and has some other suggestion about how rules should be changed, I will be happy to talk to him. If he thinks things are hunky-dory right now, he is in a distinct minority, as are the Republicans in the Senate.

Mr. MCCONNELL. We keep quoting Senator Byrd back and forth, but I think it is appropriate to look at what he said in 2010. He said:

> I believe that efforts to change or reinterpret the rules in order to facilitate expeditious action by a simple majority are grossly misguided. The Senate is the only place in government where the rights of the numerical minority are so protected.

I said in my prepared statement earlier what Senator Byrd said before the Rules Committee:

> The [Rules] Committee must, however, jealously guard against efforts to change or reinterpret the Senate rules by a simple majority, circumventing rule XXII where a two-thirds majority is required.

I keep coming back to this because it has to do with the way any rule change is implemented. That is the point. The majority leader has suggested, and I think it is appropriate, that we talk

about rule changes together. But that is not what he is suggesting he is going to do. He says he is going to break the rules to change the rules and employ the nuclear option.

That is not a negotiation with the minority over rules changes. What we ought to be doing is talking to each other about what adjustments in the rules we could advocate together, and not one party with a majority today—that might be in the minority 2 years from now—breaking the rules to change the rules for some kind of misguided short-term advantage. That is the problem.

So I would be happy to talk to the majority leader about these issues, but I vigorously oppose—and I know Senator Byrd would vigorously oppose—breaking the rules to change the rules. He was very clear about that in 2010. I know he would object to it.

I hope somehow this nuclear option can be avoided. It seems to me to be an absolutely unnecessary distraction away from much larger issues confronting the future of our Nation.

Mr. REID. Mr. President, Senator Byrd served in the House of Representatives and the Senate for almost 60 years. He gave lots of speeches. I have quoted what he said. I will quote again part of what he said.

> The Constitution in Article I, Section 5 says that, Each House may determine the Rules of its Proceedings.
>
> Now we are at the beginning of the Congress. This Congress is not obliged to be bound by the dead hand of the past.

So this debate is not going to be solved by the deceased. It is going to be solved by us. We are in the Senate today and the Senate has not been working. No matter how many times the Republican leader says he likes how things are today, it doesn't make it so that the majority of the Senate likes how it is today. The facts are the facts. We can't make them up. The Senate is not working, and we need to do something to fix it.

I close, then, as I began. I would be happy to work with Leader MCCONNELL about rules changes. I have made clear what we seek. I await his suggestions. As I repeat again what I said earlier, a man who has served with distinction in the Senate, JEFF BINGAMAN—quite a legal scholar, having been attorney general before he came here—asked: Why are we asking for such modest changes? So if the Republican leader has some ideas as to what he thinks should be done, I will come to his office. We can do it privately or publicly. I am happy to work with him. As I indicated, that is how I used to do things when I tried cases. This is the same, just that we have a bigger jury.

Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

ORDER OF PROCEDURE

The ACTING PRESIDENT pro tempore. Under the previous order, the following hour is equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Arizona is recognized.

RULES CHANGES

Mr. KYL. Mr. President, I would like to continue the conversation that our two leaders were engaged in earlier and also on yesterday. This is going to be a very important issue for the Senate.

To put it into perspective for the American people, let me just say that a rules change in the Senate is not a small or an inconsequential matter. It is even more important if it is attempted to be done without going through the normal process of changing the rules, which requires a two-thirds majority. This is important because the Senate has always considered itself a continuing body. It does not end and then begin again as the House of Representatives does because the House has an election every 2 years. In this body, Members are elected for 6-year terms. As a result, every 2 years we have some turnover in the body, but two-thirds of the body has already been here and continues forward.

So the rules of the Senate have always been continuing rules of the continuing body, amendable by a two-thirds majority of the body. To suggest a nuclear option by which a mere majority of the body can amend the rules is itself a violation of the rules. It is an assertion of power. But as the old saying goes: Might does not make right. And the fact that the majority may have the power to overrule a ruling of the Chair, thus establishing a new precedent and a new rule of the Senate, does not make it right. That is why it hasn't been done.

In point of fact, there was a time a few years ago, as has been discussed, when some members of the Senate Republican majority were considering the use of the same parliamentary tactic to ensure a vote on nominees for the U.S. Supreme Court and also for the Court of Appeals. The feeling was that the Democratic minority had filibustered over and over and over and had prevented votes, I think, on Miguel Estrada, who was being nominated for the DC Circuit Court of Appeals. I think he was filibustered seven separate times.

The Republican leadership was investigating the possibility of ensuring that we could get a vote. The only way that seemed possible was to assert this power of overruling the Parliamentarian's ruling through the Chair and thus establishing by 51 votes—or a mere majority—a new rule of the Senate.

That was deemed to be such a change that it was called the nuclear option because it hadn't been done, and we could say that it was comparable to the use of a nuclear weapon in a war. It was such a game-changing proposition, to say the least, that Members on both sides of the aisle got together in what they called the Gang of 14. I think almost everyone in this body is glad that cooler heads prevailed; that those 14 Members decided they would reach an agreement amongst themselves that would make it impossible for either the Democratic Party to automatically filibuster nominees or for the Republican Party to have this right to change the rules just because they had 51 votes. Therefore, they reached the compromise which, for judicial nominees, was that there would be no filibuster except in extraordinary circumstances.

Both sides deemed that a sufficient way of resolving the issue that came before us at that time. Everybody stood down. The war did not occur. The nuclear weapon was not used, and that was for the best of the country and certainly for the best of the Senate. We avoided a crisis and, certainly, there would have been a crisis. I can't imagine that my friends on the Democratic side of the aisle would not have reacted very badly to the use of that nuclear option had it been done by the Republican majority.

Well, today the shoe is on the other foot. The Democratic majority now has reason to believe that it would like to move forward with more alacrity on legislation. Therefore, it believes that by this same nuclear option procedure it should change the rules so that the ability to filibuster at the beginning of the consideration of the bill is eliminated.

The Republican minority naturally has said: Wait a minute. That is wrong for two reasons. First of all, just as you accused us of doing, you are changing the rules without going through the rules process change. This is your own version of the nuclear option. If it was wrong then, it is still wrong now. And most of us agreed after the fact that it was wrong then. But, secondly, what you would do, if you eliminate the requirement for cloture and a cloture vote if there is an objection to a unanimous consent request to take up the bill or motion to proceed to a bill, what you are doing is putting all of the power into the hands of the majority leader—in this case, the Democratic leader—to decide whether there will be any amendments at all from the Republican side or even from the Democratic side. The only leverage that the minority has to ensure that it will be able to offer amendments is to negotiate with the majority leader and ensure that right exists. And the only leverage it has is to deny cloture on the

motion to proceed in order to instigate that negotiation. It is political leverage. Let's call it by its true name. But without that political leverage, that check and balance, the majority leader in the Senate takes a very giant step toward becoming exactly what the Speaker of the House is, in effect, a dictator.

Now, I use that term in a very kind sense because the Speakers of the House under whom I served as a Member of the House of Representatives, and certainly the current Speaker of the House, are fine people who care a lot about the institution of the House of Representatives and, in some cases, care for some degree of minority rights. But they all have one thing in common: They run the House. If they decide, through the Rules Committee, there aren't going to be any amendments offered by the other side, there aren't any amendments offered. Frequently the minority is in the position of complaining about the fact that the Speaker, through the Rules Committee, denies them the right to offer amendments or controls which amendments they can offer, controls the time.

So if you are a Member of the House of Representatives and you want to offer an amendment, you can't automatically do that, as has been the case in the Senate. You have to go to the Rules Committee—which is handpicked by the Speaker—and you have to ask them for permission to offer an amendment and how long you will have to talk about that amendment and the wording of the amendment and all of the other conditions that the Rules Committee establishes for debate of the matter on the floor of the House of Representatives.

When the Constitution was originally written, the Founders' idea was that we would have two different legislative bodies that would provide a check and a balance on each other. One would represent the immediate passions of the people, the House of Representatives, the people's body. If the people were emotionally invested in a particular issue, the House was elected, and they would hurry up and pass that legislation. They could do it with a majority because the power of the Speaker was able to run over any minority rights. The minority wouldn't be able to get in the way.

But when it came to the Senate the idea was, slow it down, think it over. Let's make sure we want to do this. That is why we have the 6-year terms, the continuing body, and the minority rights to offer amendments.

That right to offer amendments is perhaps the most important way in which the Senate is distinguished from other legislative bodies around the world and from the House of Representatives because it does guarantee minority rights. And not just party minority.

If you are a member of the majority party from a State that has a very distinct and serious interest in a bill, the majority leader can simply say: I don't want to consider your amendment. You are out of luck under this proposal, whether you are a member of the minority or the majority.

It is not just minority rights in the sense of political minority, but also, let's say, you are from a small State rather than a big State, and there is a bill on the floor that helps the big States, and you want to offer amendments from a little State. It will be up to the majority leader to decide whether you can even offer that amendment if this rule change is adopted. So there are two very important reasons the Senate should be very careful about proceeding down this path. That is what the Republican leader has been talking about the last couple of days here on the floor.

It is important for the Senate to reflect in a longer view not only the views of the majority—political or otherwise—but also those who might have some disagreement with the majority, the theory being that the majority isn't always 100 percent right. In any event, people around the country have a right to be represented through their Senator to get their points of view argued and discussed and perhaps considered for a vote here in the Senate. That has always been the way it is. It is a tradition that has served this country well. To eliminate that with this so-called rules change would do great disservice to the American people, to the legislative process, to our Constitution, and to the great ability of this body to perform its function in the way that has been deemed so important for over 200 years now.

There is a reason this is called the greatest deliberative body in the history of mankind—because we deliberate. We think about things. We debate them. We have all kinds of points of view offered or potentially offered through the amendment process, and if that is denied, this will no longer be the body it has always been.

People before us have cautioned both Democratic and Republican majorities not to take advantage of their sheer majority, Democratic and Republican leaders. In fact, there is a very interesting new book out by I believe the former chief of staff of the great Democratic leader George Mitchell—I think joined in by a Parliamentarian at a time when Republicans were in control, so it is a bipartisan-written book—that talks about the necessity of maintaining the rules the way they are and not using this nuclear option to change the rule, denying minority rights. It is a book worth reading, and it is a book I commend to my colleagues before we embark on what might be a very fateful step in this body.

Let me make a couple of other points. Under Senate rule V—not to be too in the weeds on this, but I think it is important for us to actually know what we are talking about here. Here is the Senate rule speaking to the amendment process. I am quoting now:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

And then Senate rule XXII says that to end debate on a motion to amend or change the Senate rules:

> . . . the necessary affirmative vote shall be two-thirds of the Senators present and voting.

What I said earlier, that it takes a two-thirds vote to change the rules of the Senate, is very clear in our rules. They are continuing rules. So the notion that somehow this can be done with just a 51-vote majority is explicitly rejected by the rules themselves. As I said, when this issue has previously been raised, we have been very careful not to use the mere power of the majority to change the rules but have abided by the requirement of our own rules to do it according to those rules with a two-thirds majority.

I spoke before about the rights of the political minority. I think it is worth noting again that each Senator represents a lot of people in a separate State, two of us per State. Our constituents deserve the right to be heard in this body. It is one of the great opportunities that as a matter of comity we have always accorded to each other. We are courteous to each other on the floor because we understand it is the best way for all of us to be heard. If a colleague wishes to raise a matter while I am speaking and says, ''Will you just give me 2 minutes so that I can raise this matter on the floor, and then I will be done,'' of course we grant that request because we understand how important it is for our constituents to be represented, to have a voice. If another Senator needs to raise a point on behalf of the voters in his State, we acknowledge that as necessary and important.

That is why we think it is virtually sacred that all Senators should have the right to represent their people, their State. No State should be disenfranchised, whether it voted Democratic or it voted Republican. There are a lot of Democrats and Republicans in every State and a lot of folks who do not belong to either party. They need a voice in the Senate, and each of us represents those people. It is not right that the voice of some Senators, and therefore their constituents, be silenced because of, in effect, a power grab here through what has been referred to as the nuclear option.

As my leader Senator MCCONNELL noted yesterday, what is potentially being proposed here would undermine the very purpose of the Senate as the one place in our system where minority views, whether they are a political minority or any other kind of minority, and opinions have always been respected and in most cases incorporated into law. That would be lost to the U.S. Senate.

Here is what the late Senator Robert Byrd, who all acknowledge was an expert on the Constitution and the Senate rules, once said:

The Senate is the only place in government where the rights of a numerical minority are so protected. The Senate is a forum of the states where, regardless of size or population, all states have an equal voice. . . .

The Presiding Officer and I can appreciate that because we don't come from one of the bigger States.

Senator Byrd goes on:

Without the protection of unlimited debate, small States like West Virginia might be trampled. Extended deliberation and debate—when employed judiciously—protect every Senator, and the interests of their constituency, and are essential to the protection of the liberties of a free people.

He was specifically speaking to the point I made there: to ''the interests of their constituency.'' It is not a Senator's right that we are arguing about here; we are the voice of the people we represent. It is our constituents' rights that would be denied by this process. They deserve a voice. They have been guaranteed a voice through us, the temporary stewards of their voice. To deny that voice, especially through the procedure that has been suggested here, as the late Senator Byrd said, would be a denial of something essential to the protection of the liberties of a free people.

The current Democratic leader was one of the staunchest defenders of the Senate's protection of minority rights for all of the reasons I mentioned. He spoke eloquently about this on earlier occasions. He believes and he has said that he is frustrated by the process that he sees not working as quickly as he would like to see it work and, as a result, has apparently changed his mind as to the process for changing the rules as well as the rules themselves. But I think the whole question of the filibuster needs to be properly understood here as really meaning different things to different people. It is essentially a tool that brings the Senate to the center because it requires compromise. It requires people to get together and talk.

As I said, the right the minority has to filibuster the motion to proceed is to say: Mr. Leader, unless you are willing to guarantee us that we can have some amendments on this bill and that we get to pick our own amendments, then we are going to force you to get 60 votes lined up in order to proceed to the bill. That is the only leverage we have. So you are not really filibustering. You are not trying to talk the bill to death. You don't have any intention of taking a lot of time. You just want to be heard. You want to have your amendment up. A lot of times we say it will take just 10 minutes a side to debate it and have a vote, but if the majority leader can say, ''Nope, you are not going to be able to do that,'' then he can say Republicans have engaged in a filibuster when all it is is an objection to his motion to proceed without having the right to offer any amendments. So it is an important tool but not the way most people think of it—to delay and to talk things to death. That is not what has happened here. In most cases, the majority leader has filed a cloture motion on a Friday and we voted on it on Monday, so no time of the Senate has been taken in the intermediate time period.

I know there is a narrative that the Senate has not been able to get anything done during the past couple of years, but it is not because of some unprecedented use of the filibuster. As I said, have you seen Members down here talking hours on end about a particular issue or all through the night or whatever? No, you have not seen that. That was kind of done in a bygone era, when Strom Thurmond was here and some others, but it has not been done.

We have not done a budget in 3 years. That has been a sore point among a lot of people. You cannot filibuster the budget. So is the reason we have not done a budget because there has been a filibuster? Absolutely not, because the rules don't permit a filibuster of the budget.

There are a lot of misconceptions here. I hope my colleagues will take a deep breath, step back. Those who came from the House of Representatives, as I did, remember what it was like when you were in the minority in the House. Essentially you had no rights. Is that the way you want it to be here? Because someday you are going to be a minority in the Senate. This body will change majorities.

In any event, whether we are talking political majorities or not, as I mentioned with respect to the Presiding Officer from the same State as the late Robert Byrd, his State did not always have the power to be heard because it is a small State, as is mine. So it doesn't matter whether you are Republican or Democratic, your constituents have a right to be heard. Our current Senate rules protect that right on behalf of our constituents, and I believe it would be a grave error for the current Members of this body or those who take office next year to conclude that because they have been frustrated sometimes in what they wanted to accomplish, it is worth it to just brush the minority aside and say: Because I couldn't get everything I wanted, I was frustrated with your desire to offer amendments, I am going to take that right away from you by changing this rule in this way.

I think it would be regretted later in time. I think the reaction would be the same as occurred with regard to the so-called Gang of 14 when this nuclear option was considered several years ago. I think most people in this body now say they were wise people who brought us back from the brink of this precipice. Had we gone over that, this body would not be the same as it is today and we probably would be regretting that decision greatly.

I urge my colleagues, who I know in good faith are frustrated at their inability to do exactly what they want to do because they are in the majority, to just stop and reflect on the damage this would do to this institution, how they would feel if they were in the minority. Members of my party are going to be pretty hard to convince we should go back to the rule the way it is today if the rule is changed to our disadvantage. That is really starting a nuclear war—from a parliamentary point of view, I mean. It is not a good idea for anybody, least of all for the American people.

I urge my colleagues who are considering this to be open to alternatives, have an open mind, be willing to think this through, talk it through, to have a congenial debate on the floor about the possibilities, and eventually, I suspect, as has happened so many times in this great body, reasonable positions have prevailed—maybe after a lot of unreasonable ones were proposed, but generally we have come to the right conclusions. We have done so because we respect each other's rights. That has produced the best legislation in the 230 years of our country's history.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from New York.

Mr. SCHUMER. Mr. President, first I wish to thank my colleague from Arizona for not just his remarks during the last few minutes but for his service here. I think everyone on our side knows the Senator from Arizona has strongly felt views, many times different than many of ours, but that they are sincere, they are heartfelt, they are honorable, and that they are not ''political,'' and I very much appreciate that.

Let me say a few things, though, about these rules changes. The overwhelming fact that hovers over this Chamber is that it is broken. Nobody disagrees with that. The Senate is broken. This great, wonderful institution that has had such a legendary history—perhaps the greatest legislative body the world has ever seen—is dysfunctional. None of us disputes that. We have to start from there. How do we change it so it is no longer dysfunctional?

My colleague the Republican leader says, Well, it is personalities or it is character or whatever. That explanation doesn't wash. The amount of good character in this body is probably no different—no more, no less—than the amount of good character in previous Senates that were far more functional. I would argue that good character is pretty high. By and large, we respect our colleagues as individuals and as Senators on both sides of the aisle and across the aisle. So it is an easy way out to say, Change character. I guess when one says ''change character,'' they mean change their character. The bottom line is that the Senate is broken and we cannot maintain the status quo.

I wish to quote my great colleague from Michigan Senator STABENOW—I hope she won't mind—from a meeting we had this morning. She talked about a constituent she had who said, When are you going to change the rules? The constituent said, You sound like somebody who has suffered from spousal

abuse and keeps suffering from it and suffering from it and suffering from it and says they can't change it. Of course that person can change it and of course we can change things.

What we are trying to do on this side is come up with some changes that will make the Senate flow better but, at the same time, preserve the essential character of the Senate. If we were to propose a rules change that would say we need 51 votes for everything, we would be no more, no less, than the House of Representatives. There are some on our side, frankly—I think my colleague from Iowa at one point—who have argued, Let's move the number down to 55. We are not doing that. The rules changes we are entertaining are done with preserving the character of the Senate and making sure an individual Senator's rights are protected and that the rights of the minority are protected and the place is not stampeded by majority votes. In the House, they can have a majority of one and still pretty much get their way. In the Senate that wouldn't happen, even if we had 55 or 58 or even 60 Senators with the changes we have proposed.

So let's look at them. There have been attempts to not change the rules but, rather, to sort of come to some degree of comity between the parties. I know because under Leader REID's direction, I was involved, and under Senator MCCONNELL's direction, Senator ALEXANDER was involved. Two years ago, when there was an attempt to do rules changes, it was particularly Senator ALEXANDER, for whom I have enormous respect in the same way I have respect for Senator KYL, who proposed that instead of changing the rules we try to work things out better. There is a basic rule here in the Senate which is that the majority gets to propose the agenda. That is an enormous privilege and an enormous advantage. We get to set the agenda in the committees and on the floor. But the minority has the right to offer amendments which either poke holes in what we have proposed or even talk about other subjects because we don't have a rule, as they do in the House, where just about everything has to be germane. So Senator ALEXANDER and I attempted to do that. We said, on the one hand Republicans will not block motions to proceed, and let us go forward and debate bills, and on the other hand we would allow a reasonable amount of amendments—germane and some not germane—to the bills that came up.

Well, obviously, it failed early on in the Senate. The basic gentleman's agreement didn't work. It is our view the agreement fell apart when our colleagues on the other side of the aisle said they will not allow the President's nominee for the CFPB, the Consumer Financial Protection Board, to move forward. She will now join us in the Senate and discuss rules changes, in one of the ways that history works in strange ways now. So we said we would allow some amendments. They said, No, we are not letting her come up, period. That was against the spirit, at least, of the agreement. I am sure if my colleague from Tennessee were here, he might have a different interpretation, but at least that is ours. But the overall point is the so-called gentleman's agreement fell apart early in the Senate, never to be resurrected.

It is our belief on our side that we should allow amendments from the other side, but they should not be abused. There should not be 50 of them. They should not talk about everything under the Sun. Yes, there can be some nongermane amendments—we understand what those are all about—but it shouldn't be a piling on. It is our view, frankly, that the goal of many of the other side was simply to obstruct whatever happened here, to show that the government didn't work, in hopes that there would be an electoral advantage to that argument and people would change the Senate majority. Well, it didn't happen. So now there is a new opportunity.

Our colleagues on the other side say the only reason we filibuster is because you guys fill the tree. Well, let's look at the numbers. In the last Senate—in this Senate up until now—there have been 19 tree fillings by Leader REID. There have been 110 cloture motions. That is 6 to 1, a little less than 6 to 1, more than 5 to 1, less than 6 to 1. So, clearly, the filibuster—the use of the motion to proceed to prevent us from getting on a bill unless it has 60 votes—has far exceeded the number of times the leader has filled the tree. It has been done on things that aren't even amendable, including judges, appointments. There couldn't be objections that we wouldn't allow amendments on those things. You can't amend: Let's have half the judge be nominated to the sixth circuit or let's have the Assistant Secretary of State only have these powers. That doesn't happen. So even on those things, there have been filibusters. We asked right now—I think there are about 20 judges pending—to move them. No, we are going to filibuster. Yesterday, a sportsmen's bill, which has a lot of dissension on our side and probably has more agreement on the other side than this side, was filibustered. This goes on and on and on.

So the rules changes we are proposing will not prevent the minority from exercising its rights, from being able to offer amendments, and, in fact, from filibustering. The goal here is simple: Use the filibuster sparingly, not 110 times in a session of Congress. Even in the days of the great southern barons and the civil rights debates where the people from the South regarded filibuster as their only weapon to stop something they strongly—in my opinion very wrongly—disagreed with, it was used a handful of times only on the major debates of the time. Now the filibuster is used for everything, including district court judges, offering small, minor amendments.

What we basically want to do, as some have proposed, led by the Senator from Oregon, Mr. MERKLEY, and the Senator from New Mexico, Mr. UDALL, is say, If a Member wants to have a filibuster, they have to talk; they can't just have one person get up and say ''I object'' and then we need 60 votes or the bill doesn't come up. What will that do? In my opinion, that restores the proper balance to the Senate. If a Member has to talk—not just one person but everybody who is against it—a Member is only going to be able to sustain that filibuster on major issues. No doubt the other side would have had the ability to sustain—even if we went 24 hours, 7 days a week—they would have enough passion and enough enthusiasm and enough bodies that they would filibuster the health care bill. Probably they would do the same on Supreme Court Justices, as would we if we were in the minority, if we vehemently disagreed with a proposal. But if a Member has to be on the floor and actually filibuster as opposed to just invoking the rules, they will use it sparingly because they cannot sustain it for every amendment or every minor bill or, frankly, for bills that have a large amount of support. We know there is a small number of our colleagues who are much more focused on offering their own amendments or stopping the whole Senate. We can name them from the other side of the aisle. But under this rule, they would have to get more support than just four or five people to do it over and over, and it wouldn't happen. So then the filibuster would be used as it should be. We are not saying no to filibustering. We are not suggesting going back to 51 and simple majority rule. It would be used on major issues where there is a real division and a lot of passion and strong feeling and conviction as opposed to simply trying to block everything and tie this place in a knot.

When filibusters would decline and there would be no motions to proceed that would be debatable, what would happen? I guarantee my colleagues on the other side of the aisle that more amendments would be allowed to be offered because we wouldn't be in this tit-for-tat situation. Would we have unlimited amendments? No. Would it be that every time we have a bill we have to debate a passion of a single Senator from a single State over and over and over? No. But would there be plenty of amendments and would the minority not being able to filibuster most bills have sort of high ground, whomever that minority is, that amendments should be offered? Absolutely.

The bottom line: We cannot do nothing. There is too much at stake in our Nation to have the Senate paralyzed once again. The House is a partisan body. It passes a lot of things in a very partisan way. The Senate must still be the cooling saucer envisioned by the Founding Fathers, by George Washington and James Madison. There must

be the ability where the ''passions of the people'' cool in this government, and it resides in the Senate. The changes we have proposed continue that tradition but prevent—mitigate strongly against, if not totally prevent—paralysis, which is where we are right now.

Remember: 110 cloture motions. And that will happen again in the next session, the next Congress, in the Senate, if we don't do something to change it. The idea, once again, of just blaming this person or that person is not seeing the larger problem that needs change and correction. The proposals that I believe this side will make—and we haven't yet discussed them in our caucus—will return the Senate to the way it was envisioned by the Founding Fathers: a body where minority rights have much greater strength than the majority, but a body where bipartisan compromise is encouraged, not discouraged.

So to my colleague from Arizona I say: We are open to suggestions, but suggestions that say ''you just change your ways'' we would say back aren't going to reduce the gridlock. I believe Senator ALEXANDER and I and Senator MCCONNELL and Senator REID, when we proposed this gentlemen's compromise 2 years ago and didn't change the rules, all had the best of intentions, but it failed. We have our reason for why it failed and they may have another, but it is indisputable that it failed. We have to look at something new. I hope my colleagues on the other side of the aisle, if they don't agree with the proposals we are likely to make, will have their own suggestions but suggestions that go beyond just change the personalities, change the individuals, whatever.

In conclusion, this is a wonderful body. I have served in it for 14 years. I respect it, I revere it, and I still love, with all the dysfunction, coming to work Monday morning, which is a test for me in life. But our country has so many issues and so many problems and needs the Senate to lead and needs a Senate that is not paralyzed in gridlock. Without changing the rules, I fear we will have a repeat of the last 2 years, where each side blames the other and nothing gets done.

With that, I yield the floor. I know we have several colleagues on the Senate floor who want to speak.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I want to associate myself with the remarks of my colleague from the great State of New York, and I look forward to working with him and the entire Senate to find ways in which the Senate can continue to do the important work the public has asked us to do.

WIND ENERGY TAX CREDIT

Mr. President, I rise this morning again to speak to the importance of extending the production tax credit, otherwise known as the PTC, for wind energy. I wish to mention that the production tax credit has been used on many occasions to promote other kinds of energy development, including natural gas. The production tax credit for wind, particularly, is set to expire at the end of December and, as a result, thousands of hard-working middle-class families in Colorado and across our country who currently work in this important energy industry are at extreme risk of losing their jobs.

In fact, many of these workers have already been laid off as companies brace themselves for the expiration of the PTC. To put it in stark terms, the potentially bright future of a quintessentially American industry is uncertain unless we act as soon as possible.

I have come to the floor now some 22 times to discuss the wind energy industry, and when I do so I highlight the positive effects the PTC has had on one individual State. I have had the great opportunity and privilege of speaking about the wind energy industry in the Presiding Officer's State, the State of Montana, and today I want to take the opportunity to talk about the Wolverine State. Michigan is another remarkable illustration of how the PTC has revitalized manufacturing and created good-paying jobs while providing the State with clean energy.

We have seen improvement in the Nation's economy, but many families and businesses across our country are still struggling to make ends meet. This has been especially true in Michigan, a State that has one of the Nation's highest unemployment rates and a sluggish manufacturing base. This is all as a result of the tough economic times we have experienced over the last 4 years.

But if we look at Michigan, the wind industry saw an opportunity in Michigan. Michigan is known for its highly skilled workforce, and so the wind industry took root in Michigan, took advantage of this workforce, and now we see that in Michigan there is significant manufacturing of wind turbines occurring there. That has reinvigorated Michigan's industrial base, and it has aided in the recovery of the State's economy.

If we think about it, thousands of parts go into each car manufactured in Michigan, and wind turbines—from the towers to the cells to the blades—are no different. Someone told me recently that something in the order of 8,000 parts go into a wind turbine. So if we think about that, the skills of these hard-working Michigan workers translate into the development, the engineering, the construction, and the manufacturing required for wind turbines, which then in turn provides the State of Michigan and the local communities with thousands of new jobs and billions of dollars in investment.

We can see all the green circles on the map of Michigan I have in the Chamber that identify the places in which this manufacturing is occurring. This is in large part as a result of targeted Federal incentives, such as the production tax credit.

I would like to highlight further some of the many benefits of the wind energy industry in Michigan. There are at least 40 facilities that develop and produce various components for the wind energy industry, and that supports about 5,000 jobs. Furthermore, wind projects have contributed over $7 million in property tax payments to local governments; and that is money that helps fund schools, infrastructure, and other vital community services.

So the State is building the towers and the blades and the cells so that we can harvest the wind. Michigan is taking advantage of that opportunity as well. They are ramping up their deployment of this technology to harvest the wind because the wind energy manufacturing sector is located there. So it is a virtuous cycle, if you will.

In 2011, Michigan more than doubled its power production from wind energy, and it is on pace to increase its capacity by another 50 percent this year. That would include the completion of the State's largest wind farm, the Gratiot County Wind Project, which is located in the middle of the lower peninsula. This project itself not only created over 250 construction jobs and 15 permanent maintenance and operations jobs, it also doubled the tax base of the local schools. This has created a positive ripple effect on all these communities that has been noticeable and powerful.

Moreover, there are currently enough wind projects under construction in Michigan to nearly double the current wind power production in the State, with even more potential developments in the works. The point I am making is that the key is the production tax credit when it comes to these projects and, most importantly, the jobs they create.

There remains a vast untapped potential when it comes to wind energy in the State. In fact, the National Renewable Energy Lab estimates that Michigan has enough wind power potential to meet 160 percent of the State's current electricity needs. The extension, therefore, of the PTC is essential to the continued development of Michigan's wind resources, which will create good-paying American jobs, aid local communities, and build a clean energy economy.

So it is pretty simple. The production tax credit, the PTC, equals jobs, and we need to pass it and extend it as soon as possible.

How do we do that? Well, if we want that bright future to be realized, we need to work together and extend the wind PTC now. It is common sense. It has bipartisan support. It has bicameral support. We need to extend it now, as soon as possible. The PTC has not only aided in the growth and expansion of our manufacturing economies in States such as Michigan, but it has also shown us that America can

and, frankly, must outcompete China and the other countries that are trying to develop their own wind energy industry.

So let's come together. Let's find a path forward. Let's pass an extension of the wind PTC as soon as possible. The longer we wait, the longer we do not act, it puts the significant economic strides we have seen in States such as Michigan and all around the country at risk, and it substantially inhibits future job growth. We simply cannot afford to cede this promising new energy technology and energy future to countries such as China.

Mr. President, with that, I yield the floor.

Mr. LEVIN. Mr. President, I want to thank Senator UDALL for his work bringing attention to this important issue.

To me, this issue is simple: Alternative energy, including wind power, is not only a vital component of our environmental protection efforts, but to growing our economy and creating jobs for the middle class.

Michigan is the State that put the world on wheels. Through innovation and dedication, entrepreneurs, engineers, and Michigan workers combined their efforts not just to revolutionize transportation, but to create an explosion of manufacturing employment that helped create and sustain the American middle class.

Today, a new generation of Michigan innovators is harnessing the power of wind, the promise of biofuels, the power of advanced batteries. Earlier this year, I visited a wind farm in Breckenridge, MI, that is a marvel of technology, as far removed from the farmstead windmills of days past as a jet fighter is from the Wright Brothers' plane. That wind farm is a textbook example of how the advance of technology is helping Michigan's economy, enabling us not just to recover from the setbacks of the past, but to lead us into a brighter economic future.

Wind power is an important part of that advance. It is a rapidly growing sector of our State's electrical generating system. Wind-generating capacity more than doubled in 2011, and projects under construction or in the development pipeline could increase capacity tenfold or more. The more power we generate from wind, the more affordable, clean energy is available to our State and Nation.

Michigan also has an important role in building advanced wind-generation equipment, not just for our State, but for the United States and the world. Roughly 40 Michigan facilities are engaged in this business, many of them businesses that have turned expertise developed in the automotive industry to this new and growing field. Already wind is responsible for hundreds of good manufacturing jobs, and the potential is nearly as limitless as the wind itself.

That is why renewal of the production tax credit is so important. The PTC has been an important factor in helping this new industry grow. If it is allowed to expire at the end of the year, it would not only hamper efforts to generate more clean energy for Michigan homes and businesses, but also dampen the potential for new manufacturing jobs tied to wind power. That is not a good outcome for our environment, for Michigan families or for the American economy.

So again I thank Senator UDALL for his focus on this issue. I hope as we work to address the many pressing issues we must resolve before the end of the year, we can resolve this one as well, and maintain the momentum of clean energy to help our environment and our economy.

Ms. STABENOW. Mr. President, I thank my friend from Colorado, Senator UDALL, for speaking on this important issue, and for his constant advocacy of the wind production tax credit.

We have entrepreneurs right now in Michigan and all across the country who are working hard to invent our clean energy future.

I am thinking of companies like Ventower in Monroe, that just opened their 115,000-square-foot wind turbine tower manufacturing facility last year.

They have hired 150 people to build those huge wind towers that you see along the highway. These are good-paying jobs of the future.

Energetx Composites is another company in Michigan that used to manufacture luxury yachts. They took their experience with light-weight materials and now they are producing the blades for the wind turbines, and they have also hired workers in Michigan.

Astraeus Wind and Dowding Industries are doing the casting work and manufacturing the hubs that allow those blades to turn and produce energy. These are huge items—some as big as a house—and they need people to build them, and ship them, and that means jobs of the future in Michigan.

It also means a future that we can hand down with pride to our children and our grandchildren. It is a future with a strong middle class. It is a future where the American dream is alive and well.

We have been through tough times in Michigan, but wind power has been a bright spot. This year, we more than doubled our wind capacity in Michigan.

We now have more than 200 turbines running in places such as Gratiot, Huron, Misaukee, and Sanilac Counties.

We have another nearly 300 turbines coming online in the Thumb area—one of the areas of strongest growth in the State. And all of that development means thousands of jobs in Michigan that depend on wind energy technology.

But if Congress doesn't act by December 31, those businesses will see their taxes go up. To raise taxes on the innovative companies creating the jobs of the future? That doesn't make sense. That is why it is so critical that we extend the wind production tax credit.

At a time when our companies are competing with other countries over this technology, we cannot turn our backs on them.

China is spending millions of dollars every single day to beat us on clean energy. They are investing in companies, building plants, and making every effort to lead the world in this technology.

We are in a race, and we cannot afford to lose.

I urge my colleagues to pass an extension of the wind production tax credit.

The PRESIDING OFFICER. The senior Senator from Pennsylvania.

THE FISCAL CLIFF

Mr. CASEY. Mr. President, I rise this morning to spend a couple moments talking about the work we have to do between now and the end of the year. There are various ways to describe this, but it is usually described under the broad umbrella terminology called the fiscal cliff. Some debate the use of those words, but there is no question that we have very difficult decisions to make in the next couple of weeks.

My primary concern—and I think this is a concern that is widely shared in the Senate and across the country—is, What will all this mean for middle-income families? What will their tax rates be? What will their near-term economic security be? And what can they expect for their families and for the communities within which they live, especially at this time of year? A lot of families are not just preparing for the new year and what will happen, they are also trying to make decisions about spending, about holiday shopping, about investments, about priorities in which they have to invest in their own lives.

We know from some of the data, when it comes to debating what will happen to middle-income families and their tax rates, the positive side of extending those tax rates for middle-income families. We also know the downside of not getting that work done, not extending them.

Just to give two examples, the Congressional Budget Office says extending the tax rates for the middle-class would boost gross domestic product by 1.3 percent and would increase jobs by 1.6 million. So those are two very positive impacts if we can get the agreement, which I think we can arrive at working with Democrats and Republicans to do this, to extend the tax rates for middle-income families. So GDP up by 1.3 percent if we get the work done to extend those middle-class tax cuts, and increasing the number of jobs by 1.6 million.

Another way to look at this is from the negative side of it as well, the consequences of not getting this work done to extend middle-income tax rates.

Mark Zandi, an economist who is widely quoted across the country and

by many of my colleagues in the Senate—I am not quoting, but this is a summary—says that the economic impact of ending these tax cuts, not getting an agreement, would reduce gross domestic product by $174 billion.

We do not want to do that. That would be a very bad result for everyone. So whether we read the CBO numbers or we talk to economists or read about their assessments or we talk to CEOs, they all agree we have to deal with both the tax rate question for middle-income families as well as making sure we are avoiding the across-the-board cuts, which I will get to in a moment.

So there is much to do to solve our year-end challenge, and we certainly have more challenges in 2013. But it is basically about getting our fiscal house in order. Part of that is spending cuts, part of that is getting more revenue, and, as well, even as we are getting our fiscal house in order, dealing with various tax challenges along the way.

We should point out that there has been a lot of progress made. I will just give two examples of that. We know when the national job numbers were announced in October, part of the reporting that was done by the Bureau of Labor Statistics was that we had an October number, but then we had a September and an August number that was revised upward, thank goodness. When we combine the August, September, and October job growth numbers, it means in those 3 months we created more than 500,000 jobs across the country. I should say the economy created 500,000 jobs. The exact number is about 511,000 jobs. So that is a measure of progress.

I was just looking at some housing assessments. We are releasing a report or a summary of some data this week in the Joint Economic Committee.

Just to give you two examples on housing progress: The number of privately owned housing units that were started last month increased by 31,000 units to 894,000 units at an annual rate. What that means is it is up about 3.6 percent. That is good news, maybe even better news because we want to get the assessment of people in the trenches. One bit of good news on housing is that confidence among homebuilders rose again in November. That will also be part of that report.

So it is an increase in jobs the last couple months, more economic growth, more progress, more momentum and good information or good news on housing. The problem is it is not good enough. We are not creating jobs fast enough. The pace of the recovery needs to accelerate. It is not moving fast enough for us to fully recover. I like to say and many have used this analogy: We have been in a ditch. We have been down in a pretty deep hole. We have been climbing out the last couple years, but we are not out yet fully. We will be out and have a full recovery when we see those job numbers increase.

So these decisions we make on tax policy, on the end-of-the-year agreements we have to reach, are vitally important to continue that progress, and, in fact, to move or accelerate the job growth numbers even faster.

As I mentioned before, part of this is not just about tax rates, it is also about reducing spending. Fortunately, there is a track record. Despite all the rancor and partisanship in Washington, there is also another story of bipartisan progress that was made over the last couple years by agreeing to spending cuts.

We agreed to a little less than $1 trillion of spending cuts over the next 10 years. So it shows we can come together. The main point I started with is on middle-income families. We need to give middle-class Americans certainty by the end of the year. Frankly, we should do it even before the end of the year. We should do it in the next couple days or weeks. We can do that by saying to our friends in the other body, the House of Representatives: Pass the bill we passed in the Senate which gives tax certainty, a continuation of tax breaks to 98 percent of taxpayers.

We should do that because it will provide some certainty for the end of the year and for going into next year. I have an additional point to make about that as it relates to the payroll tax cut. We came together last year, late 2011 into 2012, as we had done a year earlier, to cut the payroll tax, to reduce that tax so most workers, most families in this country would have about $1,000 extra to put in their pockets, more take-home pay that they could spend on their priorities and invest in the priorities of their own families, whether it is making a purchase for that family, whether it is paying for education, whether it is just getting from point A to point B, putting gas in the car. Whatever it is that family decides to use those extra dollars for, it has had an enormously positive impact—122 million households were positively impacted by that payroll tax cut.

What it means in terms of jobs—about 400,000 jobs created. So one of the reasons we can say we are making progress in developing some momentum behind the job creation numbers is because of the payroll tax cut that was put in place in 2012. We know the kind of progress we are making, the kind of certainty we want for middle-income families can be badly undermined if we do not get an agreement not only on tax rates but also on this across-the-board indiscriminate cut that would take place if we do not have a bipartisan agreement.

This is known by that fancy term ''sequester'' or the other term ''sequestration.'' What that means, and I am not sure many people heard that terminology before a year or two ago—but what that means is across-the-board cutting. Some people say: That sometimes makes sense. In my family, in my business or when we have to make a decision, sometimes we have to cut spending across the board.

Unfortunately, if we do not make cuts that help our economy grow, we will badly injure our ability to grow the economy in the near term and in the future. So we all agree cuts have to be made. The question is, How do we do that? Do we make cuts that are smart and that help us grow or do we make cuts that are indiscriminate, without any kind of a strategy behind them?

Fortunately, I think there is agreement that across-the-board cuts, whether they are defense cuts which will impact jobs or whether they are nondefense cuts which will also impact the economy, do not make a lot of sense. It does not make sense to say all cuts are equal; therefore, medical research should be cut in the same way an inefficient program should be cut. That does not make sense. I think most Americans understand that.

We have to get an agreement to avoid those automatic cuts. I think we can. I think Democrats and Republicans agree it would be the wrong approach to allow that to happen. I think we can get agreement on that. What we need is a balance. Just as when any family has to make a decision about their own budget or about their own spending priorities, they need a balance. Obviously, the balance is two parts; one is revenue and one is spending. So we need to get that balance in place. We also need, in order to achieve that kind of balance, Democrats and Republicans to be willing to work together—compromising, not getting everything you want but getting enough of an agreement that we can move the country forward.

Despite all the problems, I have a high degree of confidence we can get an agreement. Folks will come together and compromise. Part of that starts with putting in place an agreement, which is already one element to the compromise. That is not just voting on but having the agreement that says: Let's have certainty right now for middle-income families.

Everyone agrees, with very limited exception, that we should extend tax rates—keep the tax rates the same for about 98 percent of the American people. There is broad agreement on that. Some on the other side do not want to have a conclusion to that because they want to have a debate about what happens to the wealthiest among us, the very top income earners, roughly about 2 percent of income earners.

But look, we have agreement on the other 98 percent. So what I would say is whatever it takes to give meaning or integrity to the vote we had in the Senate to get an agreement here but also encourage the House to vote to say: Let's give middle-income families the certainty they deserve, let's just say we are going to agree, Democrats and Republicans, that 98 percent of taxpayers across the country are going to have their tax rates continue.

Then we can have a big debate after that about what happens to the

wealthiest among us. I think it makes sense, at a time of high deficits and a debt problem that will confront us for years, that we have some part of that revenue come from the wealthiest among us. People across the aisle might disagree with that. We can have a big debate about that. But let's put in place, in law, the kind of certainty middle-income families should have. I think we can do that. So let's get in place an agreement for the 98 percent, and then we will have a big debate about the wealthiest 2 percent. Let's get in place tax rates that will allow us to do that.

I think a little history is instructive. We know that in the 1990s and the 2000s, we know there is, according to the data, no relationship between lower marginal rates for the wealthiest among us and faster accelerated economic growth. I emphasize no relationship because I think some have made the case.

Two examples. During the Clinton administration, to address the growing budget deficit at the time, which was not as severe as today, but it was a pretty substantial deficit, the top marginal tax rate was raised. It went up on the wealthiest individuals. The economy grew at the fastest rate in a generation and more than 22,000 jobs were added.

So that is what happened during President Clinton's two terms in office. During the following 8 years, the top marginal rate was lowered—not raised but lowered—for the wealthiest individuals. The economy never regained the strength of the previous decade, the 1990s. Job growth slowed and wages stagnated, leaving middle-income families especially vulnerable when the great recession began toward the end of 2007.

That is some of the history. That is part of the foundation or undergirding for the debate we are going to have on tax rates. This is not a lot of theory or a lot of maybes. We have data and information and kind of a track record trying it two different ways, the way we tried this under President Clinton and the way we tried it under the next administration. I think that is instructive.

Finally, I would say that for all the challenges we have, for all the disagreements we have, I think most people in the Senate, no matter who they are—Democrats, Republicans, Independents—whether they were running for office this year or not, all heard the same message. They all heard maybe two basic messages from people. At least that is what I heard in Pennsylvania, all across the State, for longer than 2012 but certainly most fervently with a sense of urgency this year.

Here is what I heard, a two-part message: Do something to create jobs or do more to create jobs, move the economy faster. No question, I heard that over and over. Soon thereafter, within seconds of saying that, families or taxpayers whom I ran into across the State would say to me: You have to work together with people in the other party to get this done.

You know why they say that. That is not some unreal expectation that the American people have of us. It makes a lot of sense. Because in every family out there, whether it is in Pennsylvania or across the country, in every business, small business or larger business, in every one of those circumstances, in a family or in a business, those individuals have had to sit down over the last couple years especially, work out differences, set priorities, set goals, reduce spending sometimes, make investments they knew they needed to make to grow their business or to create more economic certainty for their family.

They have had to do that. All they are saying to us is just take a lesson from the life of a lot of families in America. Sit down, set priorities, work on coming together, and get an agreement. I think we can do that. Despite all the differences, I think both parties understand the urgency of those questions, whether it is the tax rates, whether it is across-the-board spending cuts, which would be indiscriminate and harmful, whether it is what we do about individual programs, what we do in the near term to reduce deficit and debt.

We have to come together, as families have to come together, and make agreements with people whom we are sometimes disagreeing with or not getting along with every day of the week and make decisions that businesses have to make almost every day of the week or at least every month on their spending, on their priorities and on their investments.

I think we can do that. I know we have to do that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate be in recess until 2:15 p.m.

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

Thereupon, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013—MOTION TO PROCEED—Continued

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

THE FISCAL CLIFF

Mr. SCHUMER. Mr. President, I rise to discuss the state of the ongoing negotiations to avert the fiscal cliff.

So far there has been little progress reported at the negotiating table. Since the President's very productive meeting with the bipartisan leaders from the House and Senate on November 16, the subsequent staff talks have produced no breakthroughs. Republicans in the room are not yet acknowledging the need to let tax breaks for the very wealthiest Americans expire, nor are they offering the kind of reasonable reforms to entitlement programs that Democrats can be expected to support.

But despite this impasse, as Leader MCCONNELL described it on the floor yesterday, I am optimistic we can still get a deal by Christmas. I detect a great deal of progress being made beneath the surface. You only need to turn on television these past couple of days to observe the signs of this progress.

For nearly three decades, a rightwing Washington lobbyist has exerted a stranglehold on mainstream Republicans over the issue of taxes, threatening political retaliation against any lawmaker who dared to vote for any fiscal solution that asked the wealthy to pay their fair share. But in the 3 weeks since the election, one Republican after another has been rebuking this lobbyist for his uncompromising stance on taxes. Republicans in both the House and Senate are deciding they no longer want to be married to this pledge. Republicans are saying they want a divorce from Grover Norquist. That alone is a leading indicator that a fiscal deal is within reach. Both sides are still far apart and discussions over the next few weeks will be difficult. But with each new Republican disavowing Grover Norquist, the chance of a deal rises sharply.

First there was SAXBY CHAMBLISS, an honorable Member of this body and a charter member of the Gang of Six, who has spent the last 2 years trying to negotiate a bipartisan compromise in the best of faith. Senator CHAMBLISS is a signer of the Norquist pledge, but he went on TV—not somewhere else but down in Georgia—last week and bravely said:

> I care about my country more than I do about a 20-year-old pledge.

Then on ABC this past Sunday, LINDSEY GRAHAM said:

> The only pledge we should be making is to each other to avoid becoming Greece.

On the very same program, my friend from New York, Congressman PETE

KING, said the pledge no longer applied because, ''the world has changed. And the economic situation is different.''

These were just two interviews with George Stephanopoulos. But sometimes progress on the Sunday news shows can foreshadow progress in the negotiating room. In fact, these comments by Senators CHAMBLISS, GRAHAM, and Congressman KING appear to have started a trend.

Yesterday, Senator CORKER echoed their sentiments. He released his own fiscal plan, which contains $1 trillion in new revenues. Asked whether his inclusion of revenues puts him at cross purposes with Grover Norquist, Senator CORKER said:

> I'm not obligated on the pledge. The only thing I'm honoring is the oath I take when I serve, when I'm sworn in this January.

Senator MURKOWSKI said similar things yesterday. Even Senator SESSIONS showed hints of compromise when he said, about the pledge:

> We've got to deal with the crisis we face. We've got to deal with the political reality of the President's victory.

And then this morning, the vaunted Wall Street Journal editorial page even seemed to distance itself from Mr. Norquist. Of the need to compromise with President Obama, the Journal counseled:

> This is where Mr. Norquist can give some ground. If taxes are going up anyway because the Bush rates expire, and Republicans can stop them from going up as much as they otherwise would, then pledge-takers deserve some credit for that.

We disagree with the forms of revenues that most of these Republicans have in mind. Many of the Republicans expressing openness to revenues want to pursue them only through tax reform next year. And even then, they are only willing to consider limits of deductions as opposed to rate increases on the very wealthy.

Democrats, on the other hand, believe that even if Republicans want to kick tax reform into 2013, a significant downpayment on revenues must be enacted before January 1. And we further believe that the fairest, most straightforward way to make that downpayment on revenues is by decoupling the Bush tax cuts for the wealthy. Limiting deductions is a necessary revenue-raising component of a grand bargain, but it does not and cannot replace the need for restoring the Clinton-era rates for the top two tax brackets. Republicans are not quite there yet in terms of acknowledging this, but they are moving slowly in the right direction.

As the Washington Post reported this weekend, for the first time in decades there is a bipartisan consensus in favor of asking the wealthy to pay a little more to reduce the deficit. The question is how to do it. This is an encouraging development. It suggests that Republicans are slowly absorbing one of the lessons of the 2012 election which is that elections continue to be won in the middle, and victories will remain elusive for any party that caters to special-interest groups that occupy either the far left or the far right.

Over the years the Democratic Party has wrestled with the same issues Republicans are facing. When I was elected to Congress in 1981, crime was ripping apart my district. I came to Washington with the goal of working to pass new laws to crack down on crime. Lo and behold, I found that the Democratic Congress at the time was literally outsourcing the drafting of crime legislation to the ACLU. I have great respect for the views of civil libertarians. But at that time, the activists' motto was, Let 100 guilty people go free lest you convict 1 innocent person. That view was far outside the mainstream, but it dominated our party's thinking on crime for better than a decade. Our party suffered for it. We didn't snap out of it until President Clinton passed the crime bill in the 1990s. After that, we won back the trust of moderate, middle-class voters.

I know the echo chambers some of our Republican colleagues are in and I know how difficult it is. But if history shows anything, after suffering some bad losses at the polls earlier this month many Republicans are now realizing the need to snap out of it on taxes.

Grover Norquist has had a good run. It has lasted far longer than 15 minutes. But his stringent views make him an outlier now. It is not unlike what happened to his longtime friend Ralph Reed, who steered the Republican Party too far right on social issues in the 1990s and is hardly heard from anymore.

Mr. Norquist will likely not be departing the scene anytime soon, but perhaps he could switch his focus to immigration. He makes a lot of sense on the need for a comprehensive immigration reform bill, and I would be first to work with him on that. But as the events of the last weeks show, on taxes, Grover Norquist is out on an island.

In conclusion, I salute my colleagues on the other side of the aisle who have disavowed his group's pledge. I will encourage others to do the same. The more who do, the closer we will come to a bipartisan agreement on our fiscal problems.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION—MOTION TO PROCEED

Mr. REID. I move to proceed to executive session for the purpose of the consideration of treaty document 112–7, the Convention on the Rights of Persons with Disabilities.

I ask unanimous consent that prior to the clerk reporting the motion, Senator MCCAIN be recognized, and when he finishes that I be recognized.

Mr. MCCAIN. Mr. President, I think my colleagues and I who have been here for a while remember one of the more moving moments that we experienced in our service here, and that was the signing of the disabilities law on the White House lawn. Bipartisan members of the disabled community were there. The President of the United States, George Herbert Walker Bush, and so many others were there. One of the prime individuals who was largely responsible was our beloved leader at that time, Bob Dole, a man who epitomized, in my view, how a disability can be overcome to go to the highest levels of American Government.

I freely admit that I love Bob Dole. I listen to him. I appreciate his leadership. I think the majority leader would agree that we appreciated his bipartisanship during a great deal of his time.

I hope my colleagues will, before deciding to vote, at least listen to the letter that was addressed to all of us by Senator Bob Dole which we received yesterday:

> As you may know, tomorrow the Senate will vote on the Convention of the Rights of Persons with Disabilities, CRPD. Unfortunately, I am currently at Walter Reed and so cannot call you personally, but wanted to connect with you via e-mail on this time sensitive matter and ask for your help. I hope you will support this important treaty.
>
> The CRPD is the first international treaty to address disability rights globally. It is an opportunity to advance the great American tradition of supporting the rights and inclusion of people with disabilities on a global basis. Ratification of the CRPD will improve fiscal, technological, and communication access outside the United States, thereby helping to ensure that Americans—particularly many thousands of disabled American veterans—have equal opportunities to live, work, and travel abroad. It will also create a new global market for accessibility goods.
>
> The CRPD is supported by a number of individuals and groups, including 21 veterans groups, 26 faith-based organizations, over 300 disability organizations, and the Chamber of Commerce. Your vote would help to reaffirm the goals of equality, access, and inclusion for Americans with disabilities—both when those affected are in the United States and outside of our country's borders.
>
> I would greatly appreciate your support of the CRPD.
>
> God bless America, Bob Dole.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Senator MCCAIN is absolutely right. Those of us who served with Bob Dole revere Bob Dole. He is such a stalwart figure in the history of America. He has all the qualities of a leader that I admire and certainly wish I had. He has a great sense of humor. No one who has ever served in the Senate has ever had a better, quicker sense of humor than Bob Dole, and he used it to perfection.

He called me a few days ago. He is at Walter Reed not for a checkup; he is there because he is infirm. He is sick. We should do this for many reasons, not the least of which is to recognize what a great leader Bob Dole is and has been for our country.

I ask the clerk to report the motion.

The legislative clerk read as follows:

> The Senator from Nevada [Mr. REID] moves to proceed to executive session to consider treaty document No. 1127.

Mr. REID. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 61, nays 36, as follows:

[Rollcall Vote No. 205 Leg.]

YEAS—61

Akaka	Hagan	Murray
Ayotte	Harkin	Nelson (NE)
Barrasso	Hatch	Nelson (FL)
Baucus	Inouye	Pryor
Begich	Johnson (SD)	Reed
Bennet	Kerry	Reid
Bingaman	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (MA)	Landrieu	Schumer
Brown (OH)	Lautenberg	Shaheen
Cantwell	Leahy	Snowe
Cardin	Levin	Stabenow
Carper	Lieberman	Tester
Casey	Lugar	Udall (CO)
Collins	Manchin	Udall (NM)
Conrad	McCain	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murkowski	

NAYS—36

Alexander	Enzi	McConnell
Blunt	Graham	Moran
Boozman	Grassley	Paul
Burr	Heller	Portman
Chambliss	Hoeven	Risch
Coats	Hutchison	Rubio
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Kyl	Vitter
DeMint	Lee	Wicker

NOT VOTING—3

Blumenthal	Kirk	Roberts

The motion was agreed to.

EXECUTIVE SESSION

CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

The PRESIDING OFFICER. The clerk will report the treaty.

The legislative clerk read as follows:

Treaty Document No. 112–7, Convention on the Rights of Persons with Disabilities.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, Senators KERRY and LUGAR are managing this most important treaty. We are now in executive session. We are going to take a couple of hours to see who wants to offer amendments. Senator LUGAR, Senator KERRY or their staffs should be contacted to indicate what, if any, amendments they wish to offer. So that being the case, we hope that by, let's say 5 o'clock, we will have an idea what the universe of amendments, if any, would be.

I ask unanimous consent that there be a period of debate only on the treaty until 5 p.m. today, with that time equally divided and controlled between the proponents and opponents, and that time actually be controlled by Senators KERRY and LUGAR, and that I be recognized at 5 o'clock.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, let me just reiterate—I think Senator BARRASSO is here and Senator LEE, and others; Senator KYL is also here—we look forward to working over the course of the next few hours with our colleagues to try to come to some understanding of the amendments here.

One of the things that we promised—and Senator REID has altered his approach to this in order to try to accommodate our colleagues—is to make certain we are not closing people out and there is no effort to try to limit the debate.

I do think, by virtue of the work done in committee and otherwise, there is a limit to where we need to go in terms of amendments. So I am perfectly happy—together with Senator LUGAR—to work with our colleagues with respect to a reservation or an understanding or a declaration that they believe needs to be tweaked. We will see what we can do with respect to the number of amendments we want to bring.

Let me just say to my colleagues that this treaty should not be controversial. Senator Robert Dole, President George H.W. Bush, former Republican Attorney General Richard Thornburg, and current colleagues Senator BARRASSO, Senator MORAN, and others have all supported and believe we ought to move forward with this treaty in a bipartisan manner.

I would say to my colleagues that in the wake of the election, this is the first legislative effort we are making on the floor of the Senate. It would be my hope that we could reflect that we heard the American people, who asked us to do their business and to not fall into the pattern of partisan divide, of gridlock that has so characterized the Senate over the course of the last few years. This is our opportunity to prove that the exceptionalism we are all proud to talk about with respect to our country is defined by our doing exceptional work.

This is an opportunity to do that. We have an opportunity to rise with common purpose and make a difference, not just here in the United States, frankly, but most predominately make a difference in the rest of the world as to how people with disabilities are treated. I believe the Convention on the Rights of Persons with Disabilities is an opportunity for us to embrace the truth in legislating and to separate ourselves from ideological and/or partisan efforts to distort that truth or to prevent, actually, an alternative reality, which is what happens in some cases.

Our colleagues, I am told, want to approach this in good faith. We welcome that. We look forward to sitting down with them, working through what amendments we think we should vote on, and perhaps we can even work together to tweak one of the understandings or declarations in an appropriate way. We would like to make progress. I believe we can get this done. It will be a good moment for the Senate when we do.

I know we have not always agreed on all the issues and certainly not even with respect to this treaty. What I ask of my colleagues is this: Those who oppose this or who are inclined to oppose it, I would say step back and take a look at this treaty and measure the report language, the report the committee put out, and measure the transmittal letter of the President of the United States and the Secretary of State, and what they have said to the Senate is really at stake in this treaty.

I ask my colleagues before they come to the floor to carefully check the factual foundation of this treaty because we have continually heard some outside groups characterizing it in ways that simply do not meet the facts, that do not withstand scrutiny when measured against the law of the United States or international law or the law of the States. This treaty does not require any change whatsoever to American law. None. Zero. There is no impact on American law. There is no ability in this treaty for anybody to gain some new right here in the United States. No individual, American or foreign, gains any access to the courts in an effort to litigate some component of this treaty because the treaty specifically denies people any access to the courts. It is what is called—it is not self-executing. As a consequence of not being self-executing, it gives no right to any litigation.

So the obvious question from somebody might be, well, why do we want to do it then? What is the benefit to us? The benefit is very significant in terms of our diplomacy, in terms of the rights of Americans when they travel abroad, Americans with disabilities.

Now, our bottom line—I think our shared bottom line—Senator LUGAR, Senator MCCAIN, Senator BARRASSO, Senator MORAN, and others who support this treaty believe this will extend the protections to millions of disabled Americans when they leave our shores.

I thank Majority Leader REID for being willing to bring this treaty to the floor at this moment in time when there is obviously a lot on Senators' minds, a lot of business before the Senate. But I believe this treaty will be deemed to have the requisite votes ultimately to show that this is, in fact, in the best interests of our country.

This treaty has been described as a modest treaty, but the impact of Senate ratification is actually far from modest. The impact will echo around the world. Why? Because the United States of America is the world's gold standard with respect to the treatment of people with disabilities.

This has been a long journey for us in the United States. We have gone through many different steps leading ultimately to the Americans with Disabilities Act, of which we celebrated the 20th anniversary. Our own colleague, Senator TOM HARKIN from Iowa, was the leader on that landmark piece of legislation, together with my former colleague Senator Ted Kennedy. They moved this country forward in great steps so that we welcomed people with disabilities into mainstream America.

The impact of this treaty is to take that gold standard and extend it to countries that have never heard of disability rights or that have never changed their laws to accommodate people with disabilities. This will have a profound impact. Most significantly, it will have a profound impact on those who have served our country, those 5.5 million disabled American veterans who may want to travel abroad, work abroad, go to another country to study, who will as a result of this gain lifestyle benefits and accommodations they otherwise might never have.

Now, 125 nations have already signed this treaty and are living by it. We have not. We were the principal architect. Our laws are the model. But once again the United States has been holding back while other countries fill the vacuum we have left behind.

I wish to share with my colleagues a statement by Senator Bob Dole, who was as deeply committed to this cause as Senator Ted Kennedy, and he was committed to the original Americans with Disabilities Act. Senator Dole today, as we know, is in Bethesda Hospital. I do not know if he is listening at this time. I met with him not so many months ago. We talked about this and other issues. He is a great patriot. He was a great leader here in the Senate. I think his words ought to be listened to by our colleagues. Here is what he says:

> It was an exceptional group that I joined during World War II, which no one joins by personal choice. It is a group that neither respects nor discriminates by age, sex, wealth, education, skin color, religious beliefs, political party, power or prestige. That group, Americans with disabilities, has grown in size ever since. So, therefore, has the importance of maintaining access for people with disabilities to mainstream American life, whether it's access to a job, or education, or registering to vote.

Senator Dole went on to say:

> U.S. ratification of the [Convention on the Rights of Persons with Disabilities] will improve physical, technological and communication access outside the U.S., thereby helping to ensure that Americans—particularly, many thousands of disabled American veterans—have equal opportunities to live, work, and travel abroad.

In testimony before the Foreign Relations Committee this year, Special Adviser for International Disability Rights at the State Department Judith Heumann recounted in personal and searing terms why this issue is so important. She drew from the experience of her own life.

> . . . As a child, I did not have the benefit of accessible communities, inclusive schools, or accessible transportation. Without even simple curb cuts, I wheeled in the streets amongst oncoming traffic. I could not ride our buses and trains. I was not allowed to go to school until I was 9 years old, and then received poor quality education, segregated from the rest of my peers. When I applied for my first job as a teacher, I was initially denied my certification simply because I could not walk.

Today she is advocating on behalf of the State Department for this treaty. She summed up her interests in this compelling way. She said:

> U.S. citizens with disabilities frequently face barriers when they travel, conduct business, study, serve, reside or retire overseas. With our extensive domestic experience in promoting equality and inclusion of persons with disabilities, the United States is uniquely positioned to help interested countries understand how to effectively comply with their obligations under the Convention . . . However, the fact that we have yet to ratify the Disabilities Convention is frequently raised by foreign officials, and deflects from what should be center stage: how their own record of promoting disability rights could be improved.

She goes on to say:

> Though I take great pride in the U.S. record, it is frankly difficult to make best use of the 'bully pulpit' to challenge disabilities rights violations on behalf of Americans with disabilities and others when we have not ratified the Convention.

America's history—all of its history—has been marked by the long struggle for equality. It is a struggle that ought to inspire all of us to fight on behalf of many others whose voices too often are ignored or forgotten. Maybe the movie about Lincoln today would really rekindle in a lot of Americans that best sense of what is worth fighting for and what is worth achieving in public life.

For me, that vision of fighting for those people whose views are ignored or forgotten means having and holding on to a vision of a society that really works for the common good, where individual rights and freedoms are connected to our responsibilities to each other. All Americans have an inherent right to be treated as equal citizens of our Nation. But the historic march toward a better, fairer America can only come about if we are willing to make those less fortunate than ourselves the focus of our work. And this is a march that goes on for all of us, and it must go on because without it nothing changes.

One thing is clear: The disabilities convention is not an issue that pits Republicans against Democrats—Senator LUGAR is here, Senator MCCAIN, and others—nor is it an issue that should divide us along any partisan lines. The Foreign Relations Committee approved this treaty in a strong bipartisan vote on July 26, and that marked the 22nd anniversary of the landmark Americans with Disabilities Act.

I am grateful to the majority leader, former Majority Leader Dole, and to President George Herbert Walker Bush, who joined a bipartisan group of Senators, whose names I have listed, in advocating for this important cause. I think our former colleague Senator Kennedy would be very proud if he could see us coming together today in support of a convention just as we did two decades ago with the ADA.

This treaty is personal to many Members here, to Senator DURBIN, to Senator HARKIN, to Senator LUGAR, and others. Members from both sides of the aisle have worked hard to bring us to the floor today. I believe the questions have been answered. I think the report and the RECORD could not be more clear. The only question that remains is whether we are going to be remembered for approving the Disabilities Convention and reconnecting with our best traditions or finding an excuse to delay and defy our core responsibility as Senators.

I have received countless letters and heard from nearly 300 organizations on this issue. There is a long list—and I am not going to read all through those 300—every single major military organization supports this treaty; the Air Force Sergeants Association, the Air Force Women Officers Association, the American GI Forum, the Blinded Veterans Association, the Division for Early Childhood of the Council for Exceptional Children Disabled American Veterans, the Military Officers Association of America, the National Guard Association of the United States, the National Military Family Association, Paralyzed Veterans of America, and then a long list, Veterans for Common Sense, Veterans of Foreign Wars, Veterans of Modern Warfare, Vietnam Veterans of America, countless other faith-based associations, the Methodist General Board of Church and Society, the United Church of Christ. You could run through a huge number of faith-based organizations, a huge number of human rights and rights organizations from all over our country. I urge Senators to check with the rights organizations and others in their own States. Almost every State in the Union—the Kentucky Protection and Advocacy Association, the Michigan Protection and Advocacy Services. You could run a long list of people who believe the time has come.

I would ask unanimous consent that the full list of these supporters be printed in the RECORD.

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

USICD SUPPORT LIST

Ability Chicago.
Access Alaska Inc.
Access Living.
Access, Inc.

ACCSES.
Actionplay.
ADAPT Delawarenb.
Alliance Center for Independence.
American Academy of Child and Adolescent Psychiatry.
Advocating 4 Kids LLC.
American Academy of Pediatrics.
American Association for Geriatric Psychiatry.
American Association on Health and Disability.
American Association on Intellectual and Developmental Disabilities.
American Association of People with Disabilities.
American Association for Psychosocial Rehabilitation.
American Civil Liberties Union.
American Council of the Blind.
American Counseling Association.
American Dance Therapy Association.
Anti-Defamation League.
American Diabetes Association.
American Foundation for the Blind.
American Foundation for Suicide Prevention.
American Group Psychotherapy Association.
American Mental Health Counselors Association.
American Music Therapy Association.
American Network of Community Options and Resources.
American Speech-Language-Hearing Association.
American Therapeutic Recreation Association.
amfAR, the Foundation for AIDS Research.
APSE.
ARC Gateway, Inc.
Arc Northland.
Arc of Lucas county.
Arizona Bridge to Independent Living (ABIL).
Association for Assistive Technology Act Programs.
Association of Jewish Family & Children's Agencies.
Association of Programs for Rural Independent Living.
Association of University Centers on Disabilities (AUCD).
Association on Higher Education & Disability.
Attention Deficit Disorder Association.
Auditory Sciences.
Autism National Committee.
Autistic Self Advocacy Network.
Autism Speaks.
Bay Area People First.
Bay Cove Human Services, Inc.
Bazelon Center for Mental Health Law.
Bender Consulting Services, Inc.
Best Buddies International, Inc.
BlazeSports America.
BlueLaw International.
Boston Center for Independent Living.
Brain Injury Association of America.
Bridge II Sports.
Bridgewell.
Burton Blatt Institute at Syracuse University.
California Association of the Deaf—Riverside Chapter.
CA State Council on Developmental Disabilities, Area Board 5.
California Foundation for Independent Living Centers.
California State Council on Developmental Disabilities.
Californians for Disability Rights, Inc.
CBM.
Center for Disability Rights.
Center for Independent Living of South Florida, Inc.
Center for Leadership in Disability.
Center on Disability and Community Inclusion.
Challenged Conquistadors, Inc.
Check and Connect Program—Central Lakes College.
Citizens for Patient Safety.
Community Access Project Somerville.
Community Access Unlimited.
Community Alliance for the Ethical Treatment of Youth.
Community Resources for Independent Living.
Conference of Educational Administrators of Schools and Programs for the Deaf Council of Parent Attorneys and Advocates.
Consortium for Citizens with Disabilities.
Consumer Advisory Committee.
Council for Exceptional Children.
Council of State Administrators of Vocational Rehabilitation.
CUNY Coalition for Students with Disabilities.
Daniel Jordan Fiddle Foundation.
DAWN Center for Independent Living.
Deaf and Hard of Hearing Alliance.
Deaf Education And Families Project.
Delaware Developmental Disabilities Council.
Delaware Family Voices.
Depression and Bipolar Support Alliance.
Developmental Disabilities Institute, Wayne State University.
Disability Connection/West Michigan.
Disability Help Center.
Disability Law Center.
disABILITY LINK.
Disability Partners.
disABILITY Resource Center.
Disability Rights Coalition.
Disability Rights Education and Defense Fund.
Disability Rights Fund.
Disability Rights International.
Disability Rights Legal Center.
disAbility Solutions for Independent Living.
Disabled In Action of Metropolitan NYC.
Disabled Rights Action Committee.
Disabled Sports USA.
Division for Early Childhood of the Council for Exceptional Children.
Down Syndrome Association of Snohomish County.
Down Syndrome Association of West Michigan.
Dream Ahead the Empowerment Initiative.
Dynamic Independence.
East Texas Center for Independent Living.
Easter Seals.
ED101 Inc.
Equal Rights for Persons with Disabilities International, Inc.
Employment & Community Options.
Epilepsy Foundation.
Family Voices.
Fearless Nation PTSD Support.
Federal Employees with Disabilities (FEDs).
FESTAC-USA (Festival of African Arts and Culture).
FHI n360.
Fiesta Christian foundation Inc.
504 Democratic Club.
Foundations For Change, PC.
Four Freedoms Forum.
Fox River Industries.
FREED Center for Independent Living.
Friedman Place.
G3ict.
Gallaudet University.
GlobalPartnersUnited.
Goodwill Industries International.
Greater Haverhill Newburyport.
Handicap International.
HEAL.
Hearing Loss Association of America.
Hearing Loss Association of Los Angeles.
Hesperian Health Guides.
Higher Education Consortium for Special Education.
Human Rights Watch.
IDEA Infant Toddler Coordinators Association.
Independent Living, Inc.
Independent Living Center of the Hudson Valley, Inc.
Independent Living Center of the North Shore & Cape Ann, Inc.
Institute for Community Inclusion: U. MA Boston.
Institute for Human Centered Design.
Institute on Human Development and Disability.
Institute on Disability and Public Policy (IDPP).
Inter-American Institute on Disability.
International Ventilator Users Network.
Iowa Statewide Independent Living Council (SILC).
Johnson County Board of Services.
Joint National Association of Persons with Disabilities.
Just Advocacy of Mississippi.
KEY Consumer Organization, Inc.
KIDZCARE School.
L.E.A.N. On Us.
Lakeshore Foundation.
Lakeside Curative Systems, Inc.
LINC.
Little People of America.
Living Independence For Everyone (LIFE) of Mississippi.
Long Island Center for Independent Living, Inc. (LICIL).
Loudon ENDependence.
Mainstay Solutions LLC.
Maryland Disability Law Center.
Massachusetts Down Syndrome Congress.
Massachusetts Families Organizing for Change.
Medical Whistleblower Advocacy Network.
Medicol Inc.
Mental Health Action.
Mental Health America.
MI Developmental Disabilities Council.
MindFreedom International.
Mobility International USA.
Montana Independent Living Project.
Multiethnic Advocates for Cultural Competence, Inc.
National Alliance on Mental Illness.
National Association for Children's Behavioral Health.
National Association of Councils on Developmental Disabilities.
National Association of County Behavioral Health and Developmental Disability Directors.
National Association of Law Students with Disabilities (NALSWD).
National Association of School Psychologists.
National Association of Social Workers.
National Association of State Directors of Developmental Disabilities Services.
National Association of State Directors of Special Education.
National Association of State Head Injury Administrators.
National Association of State Mental Health Program Directors.
National Association of States United for Aging and Disabilities.
National Association of the Deaf.
National Black Deaf Advocates, Inc.
National Center for Environmental Health Strategies.
National Center for Learning Disabilities.
National Coalition for Mental Health Recovery.
National Council on Independent Living.
National Council for Community Behavioral Healthcare.
National Disability Rights Network.
National Down Syndrome Congress.
National Down Syndrome Society.

National Dysautonomia Research Foundation.
National Federation of the Blind.
National Federation of Families for Children's Mental Health.
National Health Law Program.
National Minority AIDS Council.
National MS Society—Ohio Chapters.
National MS Society, Pacific South Coast Chapter.
National Multiple Sclerosis Society.
National Multiple Sclerosis Society, National Capital Chapter.
National Rehabilitation Association.
New York State Independent Living Council.
Next Step.
NHMH—No Health without Mental Health.
Noble County ARC, Inc.
Northeast Arc.
Not Dead Yet.
Ohio Association of County Boards Serving People with Developmental Disabilities.
Ohio Statewide Independent Living Council.
Ohio Valley Goodwill Industries.
Oklahoma Association of Centers for Independent Living.
Optimal Beginnings, LLC.
Osteogenesis Imperfecta Foundation.
PA Mental Health Consumers' Association.
Paralyzed Veterans of America.
Parent to Parent of NYS.
Parent to Parent USA.
Peer Assistance Services, Inc.
Peppermint Ridge.
Perkins.
PhilanthropyNow.
Pineda Foundation for Youth.
Polio Survivors Association.
PPI.
Purity Care Investments.
PXE International.
Raising Special Kids.
REACH Resource Centers On Independent Living.
Recovery Empowerment Network.
Rehabilitation International.
RESNA.
Rolling Start Inc.
Rose F. Kennedy University Center for Excellence in Developmental Disabilities.
Sandhills Post-Polio Health Group.
Schizophrenia and Related Disorders Alliance of America.
School Social Work Association of America.
Self Advocacy Council of Northern Illinois.
Sindh Disabled Development Society.
SoCal APSE.
Social Assistance and Rehabilitation for the Physically Vulnerable (SARPV).
Socio Economic Development Alliance (SEDA).
Southeast Alaska Independent Living.
SPEAK Consulting LLC.
Special Needs Advocacy Network.
Special Olympics.
Spina Bifida Association.
Statewide Independent Living Council.
TASH.
Team of Advocates for Special Kids (TASK).
Teacher Education Division of the Council for Exceptional Children.
Tennessee Disability Coalition.
Tri-State Downs Syndrome Society.
The Ability Center of Greater Toledo.
The Arc-Jefferson, Clear Creek & Gilpin Counties.
The Arc Arapahoe & Douglas.
The Arc California.
The Arc Cedar Valley.
The Arc Michigan.
The Arc Noble County Foundation.
The Arc of Bristol County.
The Arc of Colorado.
The Arc of Dickinson.
The Arc of Fort Bend County.
The Arc of Greater Pittsburgh.
The Arc of Illinois.
The Arc of Iowa.
The Arc of Massachusetts.
The Arc of Northern Virginia.
The Arc of Opportunity in North Central Massachusetts.
The Arc of the US.
The Arc of Virginia.
The Arc of Toombs County.
The Arc Western Wayne.
The California Institute for Mental Health.
The Center for Rights of Parents with Disabilities.
The Jewish Federations of North America.
The Joseph P. Kennedy, Jr. Foundation.
The National Council on Independent Living.
The National Center of The Blind Illinois.
The Starkloff Disability Institute.
Three Rivers Center for Independent Living.
Topeka Independent Living Resource Center.
Touchpoint Group, LLC.
Tourette Syndrome Association.
Treatment Communities of America.
Tri Count4y ILC.
Tri-County Association of the Deaf, Inc.
Twin Ports Post Polio Network.
United Cerebral Palsy.
United Spinal Association.
U.S. Business Leadership Network.
U.S. International Council on Disabilities.
Utah Assistive Technology Foundation.
Vermont Center for Independent Living.
Vermont Family Network.
Voices of the Heart Inc.
Whirlwind Wheelchair International.
Women's Refugee Commission.
WORK, Inc.
World Institute on Disability.
Wyoming Institute for Disabilities.

Mr. KERRY. Mr. President, across the developing world, persons with disabilities face remarkable indignities and prejudice on a daily basis. They are prevented from attending schools, they are subject to discriminatory hiring practices, they are often unable to enter a public building, unable to safely cross a street, unable to even ride a public bus. There are an estimated 650 million people in the world today who live with a disability. Some 36 million of our fellow Americans are disabled, and veterans are filing disability claims at an unprecedented level. There is a challenge in these statistics, and it is a challenge to the decency and humanity of every Member of the Senate.

When a disabled child in a developing country is killed at birth because of their disability, that is a challenge to every single one of us, as Americans and as citizens of the world.

When a pervasive cultural stereotype forces disabled people to abandon their dreams and toil away in crushing poverty, it should offend the sensibilities of everybody in the Senate, and we have a chance to do something about that. When our wounded warriors are prevented from living, working, studying, or traveling abroad because of a lack of basic physical access, that violates our sacred oath.

I urge my colleagues to go to the report and read the testimony of people who have talked about how things have changed in certain countries because countries signed on to this treaty to try to reach the American gold standard. Each of these episodes that denies people those opportunities takes a little piece of our humanity.

I think our identity, I think our exceptionalism is personally on the line in this vote. I know some have said we don't need this treaty. Some have even argued it requires a change in law when it doesn't require any change in the law.

To paraphrase Senator Moynihan, who reminded us often, everybody is entitled to his or her opinion, but you are not entitled to your own facts, I simply say to my colleagues, there are basic facts with respect to this treaty, and we will argue them over the course of the next hour and perhaps days.

I want to share the most important facts right upfront. I said this earlier, and I am going to repeat it. This treaty—I hope we won't hear this debate on the floor of the Senate, because the text, the legal and documentary text of the report language and the treaty and the transmittal language and the interpretations of the Justice Department all make it clear, this treaty does not require any change in American law. None. Testimony from everybody, including former Republican Attorney General Thornburgh, makes that clear.

In addition to that, to make certain we address the concerns of our colleagues so that we reinforce that notion, the Foreign Relations Committee included additional, multiple reservations, understandings, and declarations in the resolution of advice and consent, including one that ensures that the treaty cannot be relied on as a cause of action in State or Federal courts. When we ratify this, we will ratify it with a clear understanding that there is no right of action in America's State or Federal courts.

We have also heard the argument that the convention could somehow change U.S. domestic law with respect to abortion. Again, let me make it as clear as I know how: This is absolutely, positively, factually inaccurate. The convention does not mandate or prohibit any particular medical procedure, heart surgery, brain surgery, abortion, or anything else, and we made that crystal clear in the understandings of ratification.

What it does require is something very simple. It requires that governments do not discriminate against the disabled in anything that they do allow or prohibit. If you allow a procedure, you must allow it for the disabled and the nondisabled alike. If you prohibit a procedure, you must prohibit it for the disabled and the nondisabled alike. That is all this treaty does, but it is powerful and critical to those millions of people who are discriminated against otherwise. The Foreign Relations Committee included language in the resolution of advice and consent to clarify what I just said.

Some have also tried to make the argument that the disabilities committee

created by this treaty—there is a committee that is created—is somehow going to intrude on the lives of Americans. Again, our good President John Adams once said that facts are stubborn things. Well, they are stubborn, they don't go away. The facts are that this treaty, in this committee that it creates, has no power, except to make a report to put people on notice so they can then consider what they might want to do. It doesn't require any action, it doesn't compel any action, it has no authority to do so. It simply sheds the light of day on what may or may not be happening somewhere so people can then nudge and push and jawbone and use the pressure of public scrutiny to hopefully change behavior.

By terms of the treaty, this committee has exceedingly limited powers. It can simply accept and review a country report and make a recommendation. That is it—that recommendation—nothing else.

The fact is, here in the United States we are blessed because we already live up to the principles of this treaty. Our laws, including the ADA, are more than sufficient to compel compliance with this treaty from day one. That is why nothing is going to change here at home except for those people with disabilities who can turn to their family and say, you know, I can go take that job over here or I can travel over there or I could go study over there, because the standards are going to rise and people will be able to do that.

For decades, I am proud to say, the world has looked to the United States as a leader on disability rights, and it is hard to believe that actually some people are now beginning to question our resolve on something that we were the leader on. That is disappointing, I think, to everybody who has been affiliated with this effort over the years.

Let me quote John Lancaster. John is a disabled Vietnam veteran who testified in support of this treaty and who challenged us all to do the right thing. His words are stark and simple. He said:

> As someone who volunteered and laid my life on the line for freedom, rights, dignity . . . now to have this whole debate that we're not willing to espouse [the Disabilities Convention] to the rest of the world? That we're not willing to walk the talk in international circles? To step up to the forum and advocate . . . We aspire to what's in this Convention. That is what we are about as a nation: including people, giving them freedom, giving them rights, giving them the opportunity to work, to learn, to participate. Isn't that what we are about? Isn't that what we want the rest of the world to be about? Well, if we aren't willing to say that is a good thing and to say it formally, what are we about?

That is a powerful statement from a man who served his country.

The Convention on the Rights of Persons with Disabilities is more than a piece of paper. It is not an empty promise. It is a reflection of our values as a nation. It is a lever, it is an inspiration, it is a diplomatic tool. It creates the ability to change life for people in many other countries, and that is what America is about.

John Lancaster closed out his testimony saying:

> From a veteran perspective, I think we have much to gain from the improved accessibility of the world. Today some disabled soldiers and Marines remain on active duty in spite of their disability, continuing to serve their country. These servicemembers should be afforded the same rights outside the United States as they enjoy here. For a disabled veteran working abroad, the adoption of disability rights and implementation of disability laws allows them to do their jobs more effectively and reaffirms what they served for: liberty and the opportunity to participate.

He closed by saying we have a moral obligation to one another to serve our great country and to show what we represent to all mankind.

When he returned from Vietnam, John struggled for years with environmental obstacles, employment discrimination. I think we owe it to him and to millions of Americans facing a similar plight today to fulfill our constitutional responsibilities and get the job done.

When George H.W. Bush signed the Americans with Disabilities Act into law, he did so with the hope that it was going to foster full and equal access to civic, economic, and social life for people with disabilities in America. Senator Kennedy, who played an important role, said, ''This act has the potential to become one of the great civil rights laws of our generation . . . It is a bill of rights for the disabled, and America will be a better and fairer nation because of it.''

That was the spirit that animated the passage of the ADA, and it is the same spirit that has inspired a bipartisan group of Senators to work tirelessly to pass this convention.

For far too long persons with disabilities have been left in the shadows or left to fend for themselves. We must resolve again as Senators and as citizens to fight for our principles. It isn't a question of time. It is a question of priorities—a question of willpower, not capacity. This treaty reflects our highest ideals as a nation, and now is the time to act.

In closing, I say to colleagues: When there is an opportunity for change, America must be there to help—to keep faith, and to use our voice to support those who are striving for reform.

This really is one of those moments the Senate was intended to live up to—and it demands leadership and a willingness to find the common ground.

If discrimination against persons with disabilities is to stop—and it must—then we must stop it. We all know that restoring the full measure of rights to persons with disabilities is not just a lofty goal. It's a core value here at home and an imperative abroad. But it is not enough to know how things ought to be. Our job is to ask how we can make them so.

After all, if the American people said anything in this election year, it is that Members of Congress need to work not just on their side but side by side. It is the only way we can fully complete our constitutional duties. It is the only way—in a divided country, at a time of heightened partisan tensions—that ideology will yield to common sense. And it is the only way that we will approve the disabilities convention and live out the truth behind those timeless and inimitable words: that all of us are created equal.

I yield to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, the chairman of our committee, the distinguished Senator from Massachusetts, has expressed the case well and strongly. Let me say in simplicity that as we enjoyed hearing of the rights of persons with disabilities, we have learned that essentially the United States has an opportunity for leadership for an expression of our idealism with regard to the care and treatment and concern for disabled persons in our country and the world.

If we ratify this treaty, we will join with other nations who meet annually and will receive every 4 years reports from the various countries that are involved as to the progress they have made. They compare notes. They learn really how the disabled are treated. Our belief is that we are the gold standard and that there are many countries that would like to know technically how people are treated in the United States and what sort of investment would be required in those countries.

Having said that, we should also say, very frankly, that the committee or this governing aspect has no ability whatsoever to create law—either State, local, or Federal—in the United States of America or to compel Americans to do anything, literally. So we have an opportunity to be advocates of our idealism, and we have an opportunity to listen to others and perhaps to gain new insight in this body about how, along with our fellows in the House, to proceed. I think that is very important.

Now, having said all that, I would say that likewise the committee did understand there are considerable anxieties in our country about this situation. I would say it is conceivable the debate we have today will illustrate that some Members of our body have valid concerns about the convention. I think it is clear that we will cite again and again our domestic legislation, such as the ADA and the IDEA, which constitutes the most comprehensive and effective standards to advance the rights and provide equal opportunities for individuals with disabilities.

One of the arguments by the administration in support of Senate ratification is that by becoming a member we will be able to increase our global credibility. It is argued this increased credibility with other countries will be beneficial in exporting and promoting

standards. The executive branch also argued that when officials have bilateral conversations advising other governments about improving standards for their disabled citizens, officials often question why the United States is not a party now to the convention. Opponents of the convention have argued we should only accede to the convention if it advances the national interest of the United States, especially in an area where the United States is a global leader.

There have been questions raised regarding the binding nature of the convention. The response has been that the convention is nonbinding, and the committee formed by the treaty has no compulsory authority. This also addresses the concerns of opponents who have cited instances of overreach by such committees established by human rights treaties in the past.

Most major veterans groups, as has been cited, and disability rights groups have all written in support and, as a matter of fact, turned out by the hundreds for the hearings and the markup of this legislation in the Senate Foreign Relations Committee. As I indicated, it would be very important from the perspective of making the world a more accessible place for U.S. citizens, including disabled citizens and veterans who are disabled. And improving a global standard for all segments of the disabled community should be our goal. Although accession to the treaty will not instantly achieve that goal, it may provide another avenue through which we might achieve the goal.

I want to mention specifically now some technical aspects of our committee consideration. Article 34 of the convention creates the committee we have talked about—the committee on the rights of persons and disabilities. It consists of 18 persons, elected by state parties to the convention, and they are required to submit periodic reports to the committee concerning measures taken to give effect to the obligations under the convention and the progress made in that regard. The convention provides the committee shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward those to the state party concerned. The committee recommendations are advisory only and are not binding on the sate parties, including the United States of America.

Now, the United States has recognized the rights of individuals with disabilities through constitutional and statutory protections—the Americans with Disabilities Act of 1990, which has been cited. As such, many of the general requirements of the convention for protection of disability rights already exist in Federal law. The provisions of the convention can be grouped generally into the following categories: Accessibility, education, equality, employment, and health.

Now, the committee closely reviewed the ''best interest of the child'' standard as set forth in article 7 of the convention, including whether the ratification of the convention by the United States could negatively impact parental rights with respect to disabled children, including parents who opt for home schooling of disabled children. The Department of Justice testified unequivocally that parental rights would not be hindered in any way.

In response to written questions for the record, Senior Counselor to the Assistant Attorney General for Civil Rights, Eve Hill, stated:

> In light of the Federalism and private conduct reservations, among others, there would be no change to Federal, State or local law regarding the ability of parents in the United States to make decisions about how to raise or educate their children as a result of ratification.

Mention has been made by the chairman about article 25 of the convention. The state parties recognize that individuals with disabilities have the same right as others to enjoyment of the highest attainable standards held. They must be offered the same range, quality, and standard of care that is available to other persons in their countries. Health care professionals must provide care on the same basis they would provide if the individual seeking care did not have a disability. Article 25 also prohibits discrimination based on disability related to the provisions of health and life insurance.

The convention does not provide any additional or different rights on matters of abortion. It also provides that people with disabilities not be treated any differently than others. Existing U.S. rules on abortion would still apply to U.S. citizens.

The administration has recommended the Senate include certain reservations, declarations, and understandings in any resolution of advice and consent. The administration has stated, with the following reservations, understandings, and declarations; that the United States would be able to implement its obligations under the convention using its vast existing network of laws affording protection to persons with disabilities. Therefore—and I stress this—no new legislation would be required to ratify and implement the convention.

I shall not go through all the details of the reservations, but they do specifically mention federalism: The convention shall be implemented by the Federal Government of the United States of America to the extent it exercises the legislative and judicial jurisdiction over the matters covered therein and otherwise by the State and local governments to the extent that State and local governments exercise jurisdiction over such matters.

I would say, secondly, there is nonregulation of certain private conduct. This is a reservation suggested by the administration, adopted by the committee. The Constitution and laws of the United States establish extensive protection against discrimination, reaching all forms of government activity as well as significant areas of nongovernment activity. Individual privacy and freedom from government interference in certain private conduct is also recognized as being among fundamental values of our free and democratic society.

The United States understands that by its terms the convention can be read to require broad regulation of private conduct. To the extent it does, the United States of America does not accept any obligation—any obligation—under the convention to enact legislation or take other measures with respect to private conduct except as mandated by the Constitution and laws of the United States of America.

I would mention, in addition to proposed reservations of the administration adopted by the committee, there were numerous proposed understandings all of which were adopted by the committee. They protect essentially the first amendment of the United States, economic, social, and cultural rights in our country, equal employment opportunity, uniformed employees of the United States, military departments, and definition of disability. In other words, U.S. law, State and local government law apply in all of these cases without exception and cannot be countermanded by anything with regard to this treaty. Likewise, there have been proposed declarations offered by the State Department, and these were adopted by the committee.

I would simply say, Mr. President, without reiterating each of the reservations, they all attempt to meet any conceivable objection or question raised by citizens of the United States who have testified, who have written to the committee, or Members of this body who have visited with members of the committee as we were preparing for this obligation today. This is a treaty, in essence, that states our idealism. We would be a part of an organization in which we have a forum to do that. We are under no obligation to adopt any of the suggestions of the other committee members, although we will listen respectfully to them.

As a matter of fact, the treaty is important because we have such a gold standard that others have simply raised the question: Why are you not a part of a picture that might make this available, thoughtfully, to the rest of the world? And there is no good answer to that if in fact we espouse these ideals with regard to all of humanity and hope they might be adopted by others. But, specifically, and one reason veterans organizations and other organizations trying to help the disabled in our country advocate this treaty is that we would like to see improvement in other countries.

Sometimes our warfighters, as a matter of fact, are forced by all sorts of conditions to live in other countries. We hope they are receiving proper treatment, the best treatment. As a matter of fact, if they have any sort of

life in those countries, we hope there is improvement for them. We hope, as they come back to America and then find it necessary to travel abroad again for any number of purposes, that the treatment for their disabilities will be there and, hopefully, of the same quality. We need to be advocates of this convention, advocates for our veterans and for other Americans who have disabilities.

So for these reasons, Mr. President, I am grateful to the majority leader for bringing this legislation to the floor at this time. We are very hopeful that at least the bipartisan debate we had in our committee and the strong vote for ratification will find at least some resonance in this overall debate in the Senate.

It has been a privilege on my part to work with our leader and to have had an excellent set of hearings and to have enjoyed the comments of our veterans. There are many in this body who have served this country in the military services. They have distinguished records. I had only a modest 3 years and 4 months of Active Duty after volunteering for the Navy, but that was sufficient for me to learn what was important for those with whom I was serving and those in veterans organizations, such as the American Legion, headquartered in Indianapolis, IN, about what is vital to the quality of life for those constituents.

So I am hopeful we will have success in this effort tonight.

I yield the floor.

Mr. KERRY. Mr. President, I thank the Senator from Indiana, not just for his comments now but for his many years of leadership on these issues and for his wonderful partnership in all of this. I will have more to say about that as the days go on, but we are going to miss his vision and wisdom over the course of the years.

Mr. KERRY. Mr. President, I suggest the absence of a quorum and ask that the time be equally divided under the quorum call. I would hope colleagues would come to the floor and use the time as they desire.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LUGAR. 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. LUGAR. I would like to recognize Senator VITTER on our side.

The PRESIDING OFFICER. The Senator from Louisiana.

DETENTION OF ELTON ''MARK'' MCCABE

Mr. VITTER. Mr. President, I rise to note grave concern on behalf of a constituent of mine and his family. Elton ''Mark'' McCabe, a businessman from Slidell, LA, has been held against his will in the custody of South Sudanese officials since October 14—for several weeks now, going on a month, through Thanksgiving.

Mark McCabe was in Africa, South Sudan, with business partners pursuing business opportunities, doing everything by the book, legally, ethically, and apparently, for reasons we don't yet fully understand, business competitors or business enemies of his had some sway with South Sudanese officials in a particular portion of the government with the security force, and he was taken into custody. He was charged with vague, very serious crimes and has been held against his will for these many weeks. I won't go into all the details, but it has been a long torturous experience.

I have been on the phone constantly, virtually every day, with State Department officials, with the South Sudanese Ambassador to the United States, with others, trying to demand basic due process and basic justice.

Things have gotten a little better in the last week, and a few days ago there was a hearing before a judge regarding these trumped-up charges. When the prosecution had basically no facts and no evidence to present, the judge virtually laughed in their face with regard to this lack of a case. Nonetheless, the prosecution asked for 3 more days to get its house in order, to get its notes in order, possibly just to try to save face by dropping these trumped-up charges against Mr. McCabe rather than having them thrown out against their will by the judge. We hope that is the case, we pray that is the case, but we don't know yet.

The next hearing before this same judge is going to be this Thursday. So I come to the Senate floor to urge that judge and the South Sudanese Government to do the right thing, to do justice and immediately release Mark McCabe, who, again, has been held against his will, with no evidence, with no meaningful charges against him, since October 14.

I want to repeat what I said directly to the South Sudanese Ambassador to the United States. For many years we have built a strong, positive, bilateral relationship, but that relationship depends on appropriate trust between the parties and appropriate action. And we are looking at this case very seriously. We are looking at this case as a test of their judicial system, as a test of their appropriate intentions. If this completely unjustified detention continues, I vow that I will personally make sure there are consequences and repercussions to that relationship because there should be. They have violated basic fundamental legal and human rights of U.S. citizens.

I am hopeful based on what happened in South Sudan a few days ago, but, to quote President Ronald Reagan, trust but verify. And we are going to verify one way or the other come Thursday. The matter is very simple: Even though Mark McCabe has been held against his will for weeks and weeks, finally, at this late date, we fully expect this sorry state of affairs to end on Thursday. And if these trumped-up, frivolous charges continue, if he continues to be held against his will, I promise I will make those statements to the South Sudanese Ambassador ring true. I promise I will follow up and take action because this is absolutely outrageous.

I know we all join to pray for justice, to pray for Mr. McCabe's safekeeping. He has a serious heart condition. Indications are that he actually suffered a mild heart attack while in the custody of South Sudanese officials. So we pray for him, and we very much expect and look forward to his quick return to his home in the United States.

Mr. President, I yield the floor.

Mr. LUGAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HARKIN. Madam President, I rise to support the ratification of the U.N. Convention on Rights of Persons with Disabilities or, as it is known, the CRPD.

First, I wish to thank Chairman KERRY of the Senate Foreign Relations Committee for his diligence and for his leadership on this issue. He has carried it through the committee; he has brought it to the floor. In fact, I was reminded earlier today, we were both on the committee back in the 1980s when we first started working on the Americans with Disabilities Act under the tutelage, really, of Senator Lowell Weicker, who remains a great friend to this day and is still a great leader on the issues of people with disabilities. So we go back that far working together on these issues.

I thank Senator KERRY for his great leadership in bringing us to this point and, hopefully, the point being that we are going to ratify this wonderful treaty.

I thank Senator LUGAR again for all of his efforts through so many years on so many different issues, and on this issue especially, going back to the beginning of the Americans with Disabilities Act. If I might divert from this just for one brief moment to thank Senator LUGAR for his leadership in making the world safer by getting rid of nuclear weapons in the Soviet Union. What a singular effort that has been. Senator LUGAR has done much to make the world a better place for us and for our kids and grandkids. So I salute him for his wonderful leadership in that area.

Senator MCCAIN, of course, was here and worked with us on the Americans with Disabilities Act back in 1989 and 1990. He was very much involved in it; Senator DURBIN, Senator BARRASSO, Senator MORAN, Senator UDALL, and

Senator COONS, I guess all of whom worked very hard to secure the ratification of this important convention.

As the chairman of the Committee on Health, Education, Labor and Pensions and as the lead Senate author of the Americans with Disabilities Act, I want the United States to become a party to this convention so we can apply the expertise we have developed under the ADA and help the rest of the world remove barriers to full participation and to honor the human rights of citizens with disabilities. One of my greatest joys in the Senate has been my work with so many Senators on the Americans with Disabilities Act of 1990.

The ADA stands for a simple proposition: that disability is a natural part of the human experience and that all people with disabilities have an inherent right to make choices to pursue meaningful careers and to participate fully in all aspects of society. So thanks to the ADA, our country is a more welcoming place not just for people with a variety of disabilities but for everyone.

Twenty-two years ago, on July 26, 1990, President Bush gathered hundreds of Americans with disabilities on the White House lawn for the ADA signing ceremony, and here is what he said. It is wonderful.

> This historic act is the world's first comprehensive declaration of equality for people with disabilities—the first. Its passage has made the United States the international leader on this human rights issue.

Well, thanks to the ADA and other U.S. laws, America is showing the rest of the world how to honor the basic human rights of children and adults with disabilities, how to integrate them into society, how to remove barriers to their full participation in activities that most Americans just take for granted.

Our support for disability rights inspired a global movement that led the United Nations to adopt the CRPD. In fact, I might just add parenthetically that after the Americans with Disabilities Act was adopted, we had people from many countries come here. I can think of, first, Russia. Then it was Greece, Ireland, Great Britain, as well as a number of people from other countries who came here to learn what we had done and then to pick it up and move forward in their own countries. Our legal framework influenced the substance of the convention and is informing its implementation in the 125 countries, I think, that have ratified it along with the European Union.

My staff was involved in 2002 when the U.N. first broached this subject of coming up with a convention and, in turn, provided to them the substance of the Americans with Disabilities Act, its history, its provisions, and what had been done from its adoption in 1990 until 2002 and the changes that it had brought about in our own country. So, really, I think the Americans with Disabilities Act informed and laid the basis for what the U.N. began to do in 2002 and completed in 2006.

So, again, I am very grateful for the leadership of Senator KERRY, Senator MCCAIN, as well as Senator Dole, who I know is not able to be with us right now, but I thank them for all of their support for the ratification of the CRPD. I also appreciate that former President George H.W. Bush, his White House Counsel Boyden Gray, Attorney General Dick Thornburg, former Congressman Steve Bartlett, and Tony Coelho have all been actively supporting this ratification.

I am also grateful for the support from the U.S. business community, including, clearly, the U.S. Chamber of Commerce and the Information Technology Industry Council for ratification of this treaty. Because of their experience with the ADA, American businesses have developed expertise they can apply in the global marketplace in a way that gives them a competitive advantage. If we are a party to the convention, the U.S.-based companies with this expertise will be on much more solid footing when they are seeking to help other countries write and implement domestic legislation consistent with the convention and consistent with U.S. standards for accessibility and equal opportunity.

Like the Americans with Disabilities Act, the CRPD enjoys widespread support in the disability, civil rights, business, veterans, and faith-based communities. I could be off a little bit, but as of the writing of this statement we have letters of support from more than 250 American disability organizations, 21 veterans service organizations—and I caught some of the comments made by our distinguished chairman, Senator KERRY, in talking about veterans and our wounded warriors as they travel around the world and being able to access in other parts of the world what they can access here in America; a very good point—and 26 faith organizations also in support of the CRPD. These entities all realize the critical importance of America's position as a global leader on disability rights. They want our country to have a seat at the table and to share that expertise as the States Parties to the Convention work to implement it around the world.

I might add here, under the convention a committee will be established to assist and to help other countries in implementing and changing their laws and conforming. If we are a party to this, we get a seat at the table. If we are not a party to it, we will not have a seat at the table. Why shouldn't we have a seat at the table? We have been the world leaders. So by ratifying this convention, the United States will be reaffirming our commitment to our citizens with disabilities. Americans with disabilities should be able to live and travel, study and work abroad with the same freedoms and access they enjoy here in this country. Again, as other countries that have been signatories to this treaty grapple with how to change their systems and to make their systems more accessible, we can be at the table helping them to implement this treaty and to learn from our experience.

The administration has submitted reservations, understandings, and declarations that make clear that U.S. ratification will not require any change in U.S. law and will have no fiscal impact. The Senate Foreign Relations Committee has modified these reservations, understandings, and declarations to address concerns that were raised in the committee markup.

Although U.S. ratification of the CRPD will not require changes in U.S. law and will not have a fiscal impact, I think it is very clear that U.S. ratification will have a clear moral impact. It will send a signal to the rest of the world that it is not OK to leave a baby with Down Syndrome on the side of the road to die, it is not OK to warehouse adults with intellectual and psychiatric disabilities in institutions, chained to the bars of a cell, when their only ''crime'' is having a disability, it is not OK to refuse to educate children because they are blind, deaf, or use a wheelchair, it is not OK to prevent disabled people from voting, getting married, owning property, or having children, it is not OK to rebuild infrastructures in Iraq or Afghanistan or Haiti or other war-torn or disaster-stricken areas without improving the accessibility of the infrastructure at the same time.

Former President Reagan frequently talked about America as a city on a hill, a shining example for the world of a nation that ensures opportunity and freedom for all its people. Thanks to our country's success in implementing the ADA, advancing that law's great goals of full inclusion and full participation, America, indeed, has become a shining city on a hill for people with disabilities around the globe. By ratifying the CRPD, we can affirm our leadership in this field. We can give renewed impetus to those striving to emulate us. We can give them that renewed impetus by our example and by sitting down with them and working with them only if we are a signatory to this treaty.

Again, you think about American exceptionalism. We are a pretty exceptional country, when you think about it, in many ways. We are not just exceptional because we have the most tanks and guns and bombs and things such as that, but we are exceptional in what we have done in terms of civil rights and human rights and to include all in our family—our family being our citizenship. We took great strides. America has always been evolving as a country to expand civil rights and human rights, and one of the latest, of course, was to extend those rights to people with disabilities in our society, making sure people with disabilities had all the rights and opportunities that anyone enjoys in our society.

It seems to me that this is the kind of exceptionalism we ought to be promoting around the globe. We ought to be proud. We should be proud of what we have done as a country in this regard. We should not be afraid—not be afraid—to join in a convention to extend to the rest of the world what we have done here, basically, and to be helpful in making sure that other countries can also attain that kind of a standard that does not exclude anyone because of a disability from their society.

I know there were some who were not part of the bipartisan vote to support ratification in the committee. I understand that. But my hope is that in the intervening time, in the course of Senate debate, we will have addressed any remaining concerns, move forward with a strong bipartisan vote to provide our advice and consent, and pass the resolution supporting U.S. ratification of the CRPD with overwhelming bipartisan support.

When we voted on the ADA in 1990, it was a vote where only 6 people in the Senate voted against it—91 to 6. It was a historic law. My hope is we can achieve the same kind of strong bipartisan statement of support for the human rights of 1 billion people with disabilities around the world.

As to those of us who travel a lot around the world—maybe I see it more because of my involvement in this issue—I cannot begin to describe how often it is people come up and ask us how we can help, help them change so that people with disabilities can have more access, be more involved. Many times I have been to countries where someone comes up and may not know of my involvement in this issue, but through the course of conversation—maybe it is someone in business, maybe it is someone in government, in education—they mention this: They mention accessibility because they have a brother, a sister, a friend, someone who has a disability, and they talk about how easy it is for them in America to get around, to move around, to go to school, to do business, and they would hope that maybe their country could do the same. It happens a lot. Here we are, we have the opportunity to be a key player in this global effort.

It was important for us as a country for the first 10 to 20 years to focus on our own internal problems in terms of advancing the cause of people with disabilities, when you think about all the changes that have come about in the last 22 years. And now we take a lot of it for granted in terms of accessibility, mobility, education, health care, job accessibility. It is just not unusual any longer to walk into a business and see someone with a physical disability or an intellectual disability working there. We kind of do not even think about it much anymore. We do not think about kids with disabilities mainstreamed in schools.

I remember when our oldest daughter was in grade school and IDEA was just coming into force and effect, the Individuals with Disabilities Education Act, and a child with a disability was integrated into the classroom. There was this big hue and cry from a lot of the parents about: Oh, this kid was going to be disruptive. And how are the other kids going to learn?

Well, we got through that. Now we have a whole generation, what I call the ADA generation, kids who were mainstreamed in school, and kids without disabilities do not think anything about being their friends, going to a ball game with them, going to the theater with them, working alongside them. So we have this whole new generation where you do not think about it any longer. It is a normal aspect of life.

That is not so in other countries. In other countries, it is still, quite frankly, a sign of disgrace when a family has a child with a disability. Well, it is time to get over that. By being a country signing on to this, we can help them in so many ways. It is not just kids or young people with physical disabilities; it is people with intellectual disabilities. For how long have we looked down on people with Down Syndrome, for example, and said: Well, they cannot do anything? We segregate them in society. We send them to special schools. We give them occupations that do not challenge them. Now we have broken that down. Now so many people with intellectual disabilities, we find, can do a lot of things, and they can be challenged. And, yes, they can do competitive employment. They do not need sheltered workshops. They can be in competitive employment, with just a little support and a little training.

So many things have changed for the better in this country. It would be a shame—be a shame—if all this good we have done through all sectors of society—the business community, government, transportation, education; all these things we have done to make sure people with disabilities are not discriminated against and they have full opportunities, all the opportunities that anyone else has in our society—it would be a shame to say that somehow we are not going to support a convention, an international convention that basically takes what we have done and says: Here, world, this is what we should be doing globally.

To have 125 countries already signed up to it, and here we are—those who took the leadership in this area, everyone from the White House to, as I say, the Chamber of Commerce, that was supportive of the ADA, the business community that worked so hard on this—it would be a shame if we did not ratify this and become players in this and have a seat at the table to help the rest of the world attain what we have attained in this country.

Again, I thank Senator KERRY and Senator LUGAR, and so many others, Senator MCCAIN and others—I am probably forgetting to mention someone—but so many people who have worked so hard to bring this issue to this point.

I have to believe—yes, I know there are some Senators who have some problems, and I do not question anyone's motives or anything like that. I think some people do have, maybe, some concerns about this. Hopefully, through the amending process, we can allay those concerns. I hope we get resounding—resounding—support for the ratification of this treaty and show the world that we are proud of what we have done, and we want to join with the rest of the world in making sure they too can advance and progress and have the same kind of support and accessibility and opportunity for people with disabilities as we have had in America.

Again, I thank my colleague and my classmate and my longtime friend Senator KERRY for his leadership on this issue, and I hope we have a resounding, overwhelming vote, just as we did for the Americans with Disabilities Act 22 years ago.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I thank the Senator from Iowa and I want to comment quickly before I yield the floor to the Senator from Minnesota. I also have a unanimous consent request.

I heard the Senator pay appropriate tribute to Senator LUGAR for his accomplishments in terms of making the world safer. I say to my friend, without any question whatsoever in reserve that the accomplishment of the ADA is one of those singular moments in the career of any U.S. Senator and it made the world better here at home, and a lot of other places if we get this done. The Senator from Iowa helped set that gold standard, so I thank him for that and for the pleasure—there are only three of us left from our class, so it is good to stand up with him today, and I appreciate it enormously.

I ask unanimous consent that the time for debate only on the treaty be extended until 6:30 p.m., with the time equally divided as provided under the previous order; further, that at 6:30 p.m., the majority leader be recognized.

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

I yield to the Senator from Minnesota.

Ms. KLOBUCHAR. I rise to discuss the importance of the Convention on the Rights of Persons with Disabilities. I wish to thank Senator KERRY and Senator LUGAR for their outstanding leadership on this important treaty, as well as Senator HARKIN, my neighbor to the south, for all he has done for people with disabilities.

For many years I have served on the advisory board of Pacer, which is one of the Nation's greatest organizations for parents of kids with disabilities, and saw firsthand what so many families go through every day, the incredible courage and the love they show for

their children and the inspiration so many people with disabilities bring to our country.

To paraphrase Minnesota's own ''happy warrior,'' Hubert Humphrey, the moral test of a government isn't just how it treats the young, the healthy, and the able bodied, it is also how it treats the sick, the elderly, and the disabled—those in need of a little extra support.

That may be the moral test of a government, but I believe it is also the moral test of a people and the moral test of a country. Today, I call on all my colleagues to vote to ratify the Convention on the Rights of Persons with Disabilities for two simple reasons. First of all, ratifying this treaty is about protecting the rights of U.S. citizens who are living with disabilities overseas.

Right now, thousands of Americans with disabilities, including our men and women in uniform, live, work, study, and travel abroad. I believe these Americans deserve the same rights and protections they would enjoy if they were living in the United States. This treaty is about ensuring those rights and protections.

Second, ratifying this treaty is about advancing a core moral value we all share as Americans, the idea that all people are created equal and that we are all endowed by our Creator with certain inalienable rights. Our country has long led the world as a beacon for equality and human dignity. This treaty would elevate our role in promoting human rights around the globe.

These are American values, but they are especially near and dear to my heart as a Senator from Minnesota, where we have a long and proud tradition of working to ensure that people with disabilities have access to the same basic resources and opportunities as everyone else. After all, it was the Minnesota Ramp Project that introduced a new American model for building statewide standardized wheelchair ramps.

We are the State that sent Paul Wellstone to the Senate, where he fought long and hard for mental health parity, something that finally passed in the Senate and was signed into law after he died—but it was signed into law. We are home to some of the most innovative centers for the disabled in the country, including Pacer, that I already mentioned, the Courage Center, and ARC.

We even have one of the most accessible baseball stadiums in the country. We are looking forward to a better season for the Twins next year, and we are so proud of our new stadium and how accessible it is for people with disabilities. In many foreign countries, not even schools and hospitals can meet these standards for people with disabilities. When a person is not even able to get an education or access to health care they need because of a disability, that is a very big problem.

Even more troubling is the fact that some foreign countries lack laws for protecting the disabled against discrimination, meaning they have no recourse after being denied a job or an education or the use of public services. Remember, these inequities do not just affect foreign citizens, they affect Americans who are living in those countries.

So this is what is at stake: protecting our own citizens when they travel to other countries and extending the values of equality and justice we so cherish in our own country. It is important to note that ratifying this treaty will not require any changes to U.S. law, nor will it impact American sovereignty, nor will it incur costs to taxpayers.

It has been endorsed by every major disabled person's rights organization, every major veteran's service organization, the Chamber of Commerce, and several Republican and Democratic administrations. Protecting the rights of the most vulnerable among us is not a partisan issue. It is an issue of decency and an issue of dignity. I believe it is an issue we must all stand behind as Americans.

I urge my colleagues to ratify this treaty and move us forward in advancing the rights of disabled people around the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I wanted to thank the Senator from Minnesota so much for taking time to come over. I know she did not intend to earlier, but she cares about the issue and took the time to come and share her thoughts with us. We are very appreciative. We obviously hope the Twins do whatever they want, second only to the Red Sox in the future.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Madam President, before us for advice and consent is the Convention on the Rights of Persons with Disabilities, the CRPD. I support the treaty and urge my colleagues on both sides of the aisle to support it.

In America, I do not believe anyone considers someone with a disability to have any less rights or protections than people without disabilities. I would suggest this reality is partly due to our values but also due to bipartisan efforts to codify in law that persons with disabilities are afforded equal access and protection from discrimination.

Over 22 years ago members of both parties came together to pass the Americans with Disabilities Act. It is not only the law of the land but it is the template for the CRPD in countries around the world that are moving to update their laws. Both the ADA and the ADA amendments of 2008 were passed with wide bipartisan margins. They are examples that from time to time we can engage in a bipartisan effort in this body.

In many countries accessibility to public spaces is not available to persons with disabilities. They are still discriminated against or cast aside in societies across the globe. Horrifically, infanticide occurs in many countries where children are born with disabilities. Protecting the rights of persons with disabilities, all persons, is not a political issue, it is a human issue.

Regardless of where in the world a disabled person strives to live a normal, independent life, where basic rights and accessibilities are available, disability rights and protections have always been a bipartisan issue. Ratifying this treaty should be no different.

Senator DURBIN and I and Senator KERRY began months ago—with Senator HARKIN, Senator LUGAR, many others. We had been discussing months ago how we could work together in a bipartisan manner and build support for ratification of the treaty.

As I mentioned, we have worked closely with Senators MORAN, BARRASSO, COONS, TOM UDALL, HARKIN, and others. I wish to thank them for their support and efforts to get us to this point. Senator KERRY deserves special recognition for scheduling a Foreign Relations Committee hearing and a markup that favorably reported the measure out of the committee. I also wish to thank the majority leader for scheduling this treaty for consideration today.

I think my colleagues should appreciate that this treaty is supported by over 300 disability organizations, at least 21 U.S. military veterans service organizations, the U.S. Chamber of Commerce, and many other organizations. It is not an accident that literally every veterans organization in this country supports this treaty because it is our veterans, many of whom are coming home as we speak, who will live and travel abroad and will benefit from this treaty.

As I have been traveling around the world where conflict is ever present, I have seen that so many people will benefit from the principles embodied in the treaty. So I would argue this effort is probably more important today in the world than it has been in the past. Another strong supporter of this treaty is one of my closest friends and heroes, Bob Dole. As you know, Bob has dedicated nearly his entire life to this country, through his military service and, following that, many years in public service.

He has dedicated the past several months to encourage support in the Senate for this treaty. Earlier, I read a statement from Bob. I would like to mention some parts of the statement. I will point out rather poignantly he says:

It was an exceptional group I joined during World War II, which no one joins by personal

choice. It is a group that neither respects or discriminates by age, sex, wealth, education, skin color, religious beliefs, political party, power, prestige. That group, Americans with disabilities, has grown in size ever since. So, therefore, has the importance of maintaining access for people with disabilities to mainstream American life, whether it is access to a job, an education, or registering to vote.

I will not go through Bob Dole's entire statement. I would point out there are still thousands and thousands and thousands of his comrades who came home disabled in some respect—Bob, of course, in the most painful way. We all recall, with some nostalgia and appreciation, that he and our other wonderful hero Senator INOUYE spent time in the same hospital following World War II going through very difficult periods of rehabilitation, a friendship that was forged there that has lasted ever since.

I can assure you there is nothing Bob Dole would want more than to be here on the floor of this Senate delivering his own speech before the Senate and urging colleagues to consider this treaty based on facts and on our values that ensure, protect, and advance the rights of persons with disabilities, whether on U.S. soil or around the globe where we can make a difference.

I received a letter today from—it is very difficult for me to pronounce his name, but I will try—from one individual, Chen Guangcheng. He is an individual who is a blind Chinese activist who recently came to the United States of America thanks to the efforts of many of the leaders in our administration, including the Secretary of State.

I wish to quote from his letter. This is an individual who is blind, who fought for human rights in his country, in China, and now, thank God, is in the United States of America. His letter says:

Dear Senators, I am writing you to personally ask for your support for the Convention on the Rights of Persons with Disabilities. As you know, my work on civil rights began with trying to ensure that people with disabilities in my home country of China were afforded the same rights as everyone else. The CRPD is making this idea real in significant ways around the world. Today, worldwide there are over 1 billion people with disabilities, and 80 percent of them live in developing countries. Disability rights is an issue that the world cannot afford to overlook.

When the United States enacted the Americans with Disabilities Act over twenty years ago, the idea of true equality for people with disabilities became a reality. Many nations have followed in America's footsteps and now are coming together under shared principles of equality, respect, and dignity for people with disabilities as entailed in the CRPD. The U.S.—which was instrumental in negotiating the CRPD—can continue to advance both its principles and issues of practical accessibility for its citizens and all people around the world, and by ratifying the treaty, so take its rightful place of leadership in the arena of human rights.

As I continue my studies in the United States, it is a great pleasure to now learn firsthand how the U.S. developed such a comprehensive and strong system of protection for its citizens with disabilities. I am so hopeful that you will support ratification and allow others to benefit from these triumphs. Thank you for your leadership.

That is a very moving letter from a man who risked his very life, a man who is blind but still risked his life for the freedom of others, including rights in his country for individuals with disabilities.

There is a letter we have from former Attorney General Dick Thornburgh and White House Counsel Boyden Gray. They wrote to the Foreign Relations Committee to address issues being raised by opponents, particularly homeschool advocates who believe parental rights to homeschool or make decisions for their children will be impaired. I take it that my colleague, the Senator from Massachusetts, addressed this aspect of the concerns the homeschoolers have.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. If I might just say to my colleague, the resolution actually does address it, but I have not, so I think it would be important, if the Senator wishes to address that.

Mr. MCCAIN. Here is what they wrote, the former Attorney General—I have been blessed to live and know many Attorneys General, but I think all of us on both sides of the aisle would agree that Dick Thornburgh ranks up there at the top. This is what they write concerning the issue of homeschooling:

Nothing in this treaty prevents parents from homeschooling or making decisions for their children. This treaty embraces IDEA, the ADA, and all of the disability nondiscrimination legislation that has made the United States a leader on disability rights. The specific provisions on women and children state that women and children with disabilities cannot be the victims of illegal discrimination—as is the case under U.S. law. Furthermore, the CRPD recognizes and protects the important role of the family and specifically protects children from being separated from their parents on the basis of a disability. We take a back seat to no one in our defense of the rights of parents to raise their children or in our support for our federalist system of government with sovereignty at both the Federal and State levels of government.

Some opponents are also suggesting that somehow the U.S. law or existing parental rights would be impacted by supporting the treaty. Attorney General Thornburgh and White House Counsel Gray address this as well:

We understand that some are claiming that changes in U.S. law would be necessary to implement the obligations the U.S. will undertake as a result of ratifying the treaty, or that the RUDs that the Senate will approve will not have the force of law. Such claims are not correct and, quite simply, extraordinary. When the U.S. Senate attaches conditions to its consent to a treaty, they are binding on the President, and the President cannot proceed to ratify a treaty without giving them effect. The Senate has a long tradition of careful consideration and frequent adoption of limited RUDs, as is the case here. Any claims that such limited conditions do not have the force of law, or are inconsistent with the object and purpose of a treaty on disabilities that U.S. laws inspired in the first place, is contrary to the long-held position articulated by the Senate—regardless of which party is in control (and in spite of whatever theories that may momentarily exist in academic circles).

Administrations of both parties have also uniformly held this view. In 1995 the U.S. stated that ''reservations are an essential part of a State's consent to be bound. They cannot simply be erased. This reflects the fundamental principle of the law of treaties: obligation is based on consent. A State which does not consent to a treaty is not bound by that treaty. A State which expressly withholds its consent from a provision cannot be presumed, on the basis of some legal fiction, to be bound by it.''

Furthermore, the CRPD protects the critical role of the family by specifically recognizing the role of parents in raising children with disabilities, and prohibits the dissolution or separation of families because one or both of the parents are persons with disabilities. Article 23, entitled ''Respect for home and family,'' provides that ''children with disabilities have equal rights with respect to family life,'' that nations ratifying the treaty have an obligation to ''undertake to provide early and comprehensive information, services, and support to children with disabilities and their families, and that ''(i)in no case shall a child be separated from parents on the basis of a disability of either the child or one or both of the parents.'' Finally, the CRPD will provide much-needed protection in other countries where there is no provision for birth certificates or birth registration for children with disabilities. In particular, it will help protect against the horrible practice of infanticide of children born with disabilities—a practice that can be facilitated through the denial of birth certificates or registration to disabled babies.

Every action we have ever taken on disability policy has been bipartisan. Being able to live independently is a basic human dignity we support, and it is a value we can help advance internationally by supporting this treaty.

I would like to say in closing that I thank both of my colleagues, Senator LUGAR and Senator KERRY.

I think we might think just for a moment, in conclusion, about the fact that there are various conflicts going on around the world. In Syria, we have seen 40,000 killed, and I don't know how many—100,000, 200,000 who have been wounded, many of them innocent women and children, because of the ferocity and barbaric conduct of this conflict. I don't know how many people today in China are subject to infanticide because there is not a birth certificate available. And we know that practice, not only in China but in other parts of the world—a lot of it in Asia—goes on. We live in a very troubled and turbulent world. Not only will we have the normal, usual situation—and I mean normal—there are people who are born with disabilities from time to time. I have had the honor of knowing children, as all of us have, and there are no more loving and caring people in the world than our children and our citizens who have disabilities. There are going to be a lot more because of the conflicts that are going on in various places in the world. They might deserve our special attention because they are living in countries that will have a lot less of the rule of law, a lot

less ability to care for them, particularly in the short term. Whether it be Libya, whether it be Syria, whether it be Iraq, or whether it be Afghanistan, all of these countries, we are going to have citizens who have been the victims of the violence of war. I believe the best thing we can do for them in the short term is take whatever action we can to see that they are not discriminated against, that they receive the same protections we guarantee our Americans with disabilities, and that they are afforded an opportunity to live full and beautiful lives.

Finally, I would like to say that my two friends and I have been around this place for quite a while—in the view of many, perhaps too long—but the fact is that one of the highlights of our shared experiences was on the lawn of the White House when a guy, Holmes Tuttle—remember one of the leaders of the disabilities movement, Mr. Tuttle—and others from the disabilities community were there, and the President of the United States at the time, President Herbert Walker Bush, and our beloved Bob Dole were there. It was a great moment for all of us. It was a great moment for America. It was all of us doing something, contributing in a small way to make better the lives of people who otherwise may have had great challenges in having the kinds of lives we want every American citizen to lead.

I believe that this treaty, this action is an adequate and important followup because I don't think there is anybody who denies—yes, there are problems with any legislation of the sweeping magnitude and scope of the ADA, but I don't know of anybody who doesn't believe it was a magnificent success and an enormous contribution to making the lives of our citizens with disabilities better than they otherwise would have been. So wouldn't we want that same thing to happen to everyone in the world? Wouldn't we want these children who are going through such difficult times in their lives and wouldn't we want those who have been wounded and maimed to have an opportunity for a better life? Wouldn't we want to, as Americans, be proud that we blazed the trail with the ADA in a really remarkable shift and change and an act of almost miraculous benefit to so many of our citizens, wouldn't we want that also to apply to the other citizens of the world? I think most of us would, and I think most of the American people who are paying attention to this believe that. That is why so many of our veterans organizations are in support. That is why so many in the disabilities community are in support. That is why there are so many charitable organizations that are in support.

So I again thank both of my colleagues and tell them that I certainly hope we can convince all of our colleagues that one of the nicest things we could do as a Christmas present for people around the world is to ratify this treaty.

Madam President, I yield the floor.

Mr. KERRY. Madam President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I wish to thank the Senator from Arizona. I thank him for his comments just now, but most importantly I really appreciate his extraordinary leadership on this issue and a lot of human rights issues, issues of conscience. He speaks with a very important voice, and I think he knows I am always happier when he is working with me than against me on any issue on the floor. I know he used to pride himself in his fight occasionally with Senator Kennedy, but he also prided himself enormously when they were able to get together and work together.

I have certainly enjoyed the many things Senator MCCAIN and I have done together—most notably, I think, joining hands across a certain belief divide to help end the war in Vietnam, the real war that kept raging in the minds of a lot of people, and that was a 10-year journey we made together. I am certainly proud of that and grateful to him.

But I want to come back to this treaty for a moment and Senator MCCAIN's efforts on it. I would say to my colleagues who have raised in the minority report a couple of concerns—and none of us are dismissive of those concerns—every Senator has the right to express their beliefs, but I can't think of a Senator more compelled. He has been the ranking member and chair of the Armed Services Committee and for years has been one of the leading voices on defense issues and now the defense of our Nation. Everybody knows his record in terms of personal service. I think there is no Senator who comes to the floor arguing more consistently the prerogatives of the United States of America with respect to defending our Nation and upholding the Constitution.

I would ask my colleagues who are finding some reason to doubt this treaty or to have some sense that it presents a threat to our country to take appropriate note of Senator MCCAIN's fervent commitment to this and to the comments he made about former Attorney General Dick Thornburgh. I knew the Attorney General when he was Attorney General. I have enormous respect for him and for his career, and I think Senator MCCAIN was 100 percent correct when he quoted him in the record as saying that nothing in this treaty will require any initiative by the United States to change a law or to reduce any capacity of our courts to uphold the Constitution of the United States. I think he did an important service in his comments with respect to that. I thank him for his contribution. Our fight is not over. We have some work to do in the next days, and I look forward to working with him.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Indiana.

Mr. LUGAR. Mr. President, I join the chairman in thanking JOHN MCCAIN for his testimony, his courage, his eloquence, and his mention of those on our side of the aisle who have historically fought for the disabled. That is a very important fact today, and his presence, his strength and determination are very inspiring. We appreciate so much his support.

Mr. KERRY. Mr. President, I suggest the absence of a quorum, and ask that time be logged to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, we are in the process of considering the ratification of the Convention on the Rights of Persons with Disabilities. The United States has led the world in creating the legal framework, building an infrastructure and designing facilities that ensure inclusion and opportunities for those living with disabilities.

This year the Senate Foreign Relations Committee, under the leadership of Chairman JOHN KERRY and ranking minority member Senator RICHARD LUGAR, celebrated the 22nd anniversary of the Americans with Disabilities Act by favorably reporting the Convention on the Rights of Persons with Disabilities on a strong bipartisan basis. I want to personally thank Senator KERRY and Senator LUGAR for moving the treaty through the committee process. It was a hectic time—campaigns were going on—but they made a point of making certain we brought this issue forward.

A personal thanks to my friend Senator JOHN MCCAIN, who is on the Senate floor at this moment, for making this a bipartisan effort. I also want to thank Senators BARRASSO, HARKIN, TOM UDALL, MORAN, and COONS for their bipartisan support and dedication to the passage and ratification of this important treaty.

Now is the time for the full Senate to affirm our Nation's leadership on disability issues by ratifying this important treaty. We should do so with the strong bipartisan support that has always characterized the efforts we have had on disabilities.

The support for this treaty is extremely broad and deep and bipartisan. It is supported by 165 disability organizations, including the U.S. International Council on Disabilities, the American Association of People with Disabilities, the Disability Rights Education and Defense Fund, and the National Disability Rights Network.

In addition, it is supported by 21 different veterans groups, including the Wounded Warrior Project, the American Legion, Disabled American Veterans, and Veterans of Foreign Wars.

President George H.W. Bush, who signed the Americans with Disabilities Act into law, has called for ratification

of this treaty. But there has been no more passionate advocate—and I am so honored that he would consider devoting his energies and good name to our effort for ratification of the treaty—than Senator Bob Dole, a lifelong advocate for disability rights. We need to pass this treaty in a tribute to Bob Dole for his life of service to the State of Kansas and to the Nation, as well as his heroic efforts on behalf of the disabled in the Senate.

These organizations and people of different backgrounds have come together to support ratification of the treaty because they know it is critical for those living with disabilities in the United States and around the world. Thanks to the ADA and similar laws, the United States has been so successful providing opportunities, accessibility, and protection of the rights of those living with disabilities that our Nation is already in full compliance with all terms of the treaty. Before transmitting this treaty, the Obama administration conducted an exhaustive comparison of the treaty's requirements to current U.S. law. Here is what they found: The United States does not need to pass any new laws or regulations in order to fully meet the terms of the treaty. The fact that we have already met or exceeded the treaty's requirements is a testament to our Nation's commitment to equality and opportunity for the disabled.

But there are still important reasons to ratify this treaty. There are more than 5½ million veterans living with disabilities in the United States. They travel all over the world, often with their families. Ratifying this treaty will help move toward the day when wherever they travel they will be treated with accessibility, with the kind of respect that every person would expect to have in traveling around the world.

Ratifying this treaty will also give the United States a seat at an international table that we currently can't occupy. The United States can sit at the table on disability rights worldwide and provide guidance and expertise based on our experience and leadership. It just stands out like a sore thumb our country hasn't ratified this treaty when over 120 other nations have.

This treaty would also level the playing field for American businesses. American businesses have invested time and resources to comply with the ADA. Businesses in some countries are not required to comply with similar standards. Compliance with the treaty levels the playing field by requiring foreign businesses to meet accessibility standards similar to those of the United States. It will open new markets for new technologies when it comes to disability.

Mr. President, I know you have been a visitor at Walter Reed and Bethesda Naval Center, and you have seen our returning veterans, many who come home after losing a limb. They go through a period of the best rehabilitation, and then they are brought into a laboratory with the latest technology.

A new Congresswoman from Illinois, named TAMMY DUCKWORTH—I am so proud of her election victory on November 6—lost both legs in Iraq when she was piloting a helicopter that was shot down. She was a member of the Illinois National Guard, and there was a question whether she would even survive the terrible incident where a rocket-propelled grenade was fired into the fuselage of her helicopter. She survived and has since used Walter Reed Hospital and Bethesda to make certain that she has the very best new prosthetic legs. They were good enough to carry her through a campaign successfully, and now she will be sworn in to the U.S. House of Representatives in just a few weeks.

That kind of technology is being developed for our veterans, as it should be. Ultimately, it will be available to everyone across the United States and around the world. As companies make this new technology enabling amputees a full life, this technology becomes a part of the export of the United States. So there are opportunities here for the United States, as other countries comply with the treaty and develop new prosthetics and other things for their disabled, to have some business opportunities with new and good ideas. American businesses will be able to export their expertise and their products in new markets serving the hundreds of millions of people living with disabilities around the world.

Let me tell you why it is important for us, even though our standards are good and high in helping the disabled, to worry about those with disabilities in other countries. There are estimates that 10 percent of the world's population lives with disabilities. Not only do these people courageously live each day, they live with many challenges and hurdles that could be removed with the right laws and policies that are contained in this convention.

It is hard to believe, but 90 percent of children with disabilities in developing countries never attend school. Less than 25 percent of the countries in the United Nations have passed laws to even prohibit discrimination on the basis of disability. Studies indicate that women and girls in developing countries are more likely than men to have a disability.

Unemployment is dramatically higher for those living in other countries with disabilities. This treaty will help provide the framework so countries around the world can help their own citizens with disabilities live productive, healthy lives. Just like we did by enacting the ADA 22 years ago, ratifying this treaty will send the world a message that people with disabilities deserve a level playing field.

While this treaty will ensure inclusion and access for those living with disabilities, it is also important to note what the treaty will not do. The treaty will not require the United States to appropriate any new funding or resources to comply with its terms—not a single dollar. The treaty will not change any U.S. law or compromise U.S. sovereignty. The treaty will not lead to any new lawsuits because its terms do not create any new rights, and it cannot be enforced in any U.S. court. For families who choose to educate their children at home, the treaty will not change any of the current rights and obligations under American law. I was pleased that in the Foreign Relations Committee they adopted an amendment I worked on with Senator DEMINT, a bipartisan amendment, to further clarify this issue.

I also want to address the issue of abortion, which was raised yesterday by one of our former colleagues. Leading pro-life groups, such as the National Right to Life Committee, confirm the treaty does not promote, expand access or create any right to an abortion.

When we tried to move this treaty earlier this year, some objected on the basis the Senate shouldn't ratify a treaty during a lameduck session. Well, we did a little study. I want to note for the record that since 1970, in the last 42 years the Senate has ratified at least 19 treaties during lameduck sessions. There is no procedural or substantive justification for not ratifying this treaty which has broad bipartisan support and could mean so much to those living with disabilities.

Thanks to decades of bipartisan cooperation, our country embodies the worldwide gold standard for those living with disabilities.

In closing, I again salute Senator Bob Dole. He has been on the phone and working it, and I hope in tribute to his Senate career we will ratify this treaty.

I also want to salute a former colleague of mine from the U.S. House of Representatives, Tony Coelho. Tony was the whip of the Democratic caucus when I was first elected, and he has been an amazing advocate for the disabled throughout his public career in the House and ever since. He came to me and asked to help in this effort, and I was happy to say yes to Tony, as I did so many times when I served with him in the House.

I want to add one other person—Marca Bristo. Marca is the leading disability advocate in the city of Chicago. This wonderful young woman was tireless in her wheelchair, wheeling from office to office, begging Members and their staffs to consider voting for this treaty. If and when we pass it—and I hope that is soon—I am going to remember Marca and Tony, and certainly Senator Dole, for all the work they put into this.

When the Senate ratifies this treaty, we can be proud our coworkers, friends, family members, and courageous veterans will soon enjoy the same access and opportunity when they travel abroad that they have come to expect right here in the United States.

Mr. 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. CARDIN. 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. CARDIN. Mr. President, I take this time to urge my colleagues to vote for the ratification of the Convention on the Rights of Persons with Disabilities.

I have the honor of serving on the Senate Foreign Relations Committee and was present during the hearings we had with regard to the ratification of the treaty. I listened to the witnesses who testified and listened to all the arguments that always have been made about treaties. I must tell you, it was overwhelmingly supportive of the ratification of the treaty.

I want to acknowledge the work of Senator LUGAR, who is on the floor. He has been a real champion on basic human rights issues and advancing it through treaties on which the United States has taken leadership. I applaud his unstinting commitment to advancing the rights of people with disabilities.

I also want to acknowledge our chairman Senator KERRY, and the work he has done in regard to this treaty; Senator HARKIN, and many others, have been involved in the United States' participation in this treaty. To put it directly, we were responsible for this treaty moving forward because the United States has been in the leadership of protecting people with disabilities. The way we treat people with disabilities is a civil rights/human rights issue.

We know the history of America was not always what it is today, and we know the struggles people with disabilities have had in getting access to services that we sometimes take for granted.

Many years ago I visited our State institution for children with developmental disabilities. I saw in one large room literally 100 children receiving no care at all, most of them not clothed. I knew we could do better in this country, and today our access to health services for people with disabilities is remarkably better.

I remember when if you had a physical disability and were confined to a wheelchair, it was basically impossible to get use of public transportation. We have changed those policies in our country, recognizing that every American has the right to basic services. I remember when it was difficult for people to get public education in traditional schools if they had disabilities. We have changed those laws in America. We have changed our public accommodation laws. We have changed our employment laws. We have led the world in saying that it is a basic right, and people with disabilities have the same protections as every one of us.

I am proud of the progress we have made here in the United States. I was part of the Congress in 1990 that passed the Americans With Disabilities Act. I am very proud to be part of the Congress that passed that law. I remember two of our colleagues who have been in the forefront of this work: Senator Dole, whose name has been mentioned, has been one of the great leaders in this body in protecting the rights of people with disabilities, and Congressman Tony Coelho, with whom I served in the other body, the House, took on a leadership position to bring to the public attention for us to do what was right for people with disabilities.

The United States has provided international leadership. The year after we passed the Americans With Disabilities Act, my colleague in the House, Congressman STENY HOYER, took that effort in the United States internationally. In 1991, in the Organization for Security and Cooperation in Europe, we passed the Declaration on the Rights of Persons With Disabilities because of the U.S. leadership. It is now known as the Moscow Document. We have provided international aspirations to make sure that we treat people with disabilities as we would treat anyone else.

We have in America the strongest protections of any country. We have improved our laws. We have led the world in providing the right legal framework, the right policies, and the right programs so people with disabilities can gain access to all services.

The ratification of this treaty is particularly important to the United States. I say that because it further demonstrates our leadership on this issue. We have added language in this treaty; we don't have to change any laws if we ratified this treaty. We are in full compliance. There is no need for America to take any further steps. All this treaty ratification does is reaffirm America's leadership on this issue and provides protection for our citizens internationally. We made that very clear with amendments we added to this treaty during the committee markup. We don't have to change any laws. Yet it helps U.S. citizens abroad. The rights of the disabled should not end at our border. They should have the same protections when they travel to another country or when they work in another country or when they temporarily live in another country. We want to make sure American citizens are treated fairly.

A witness testified at our hearing on the ratification of this treaty about how she was in a wheelchair in another country and she was not permitted to use her wheelchair to get access to an airplane. That is wrong. This treaty will protect an American who happens to be in another country and who happens to have a disability to make sure that person can get reasonable access to transportation, reasonable access to public accommodations, and that the person is not discriminated against because of her or his disability. This helps advance globally the basic human rights of people with disabilities. Other countries will learn from the United States. Until we ratify, we can't participate in the international discussions taking place to protect people with disabilities. Yet we have the most advanced laws. By our ratification of this treaty, we are in a position to help other countries advance the rights of people with disabilities, and that is exactly what we should be doing in America.

Our Nation was founded on the principle that we are all created equal and each of us has the right to life, liberty, and the pursuit of happiness regardless of our abilities. Ratifying this treaty is a strong act of diplomacy and a symbol of America's continued commitment to equal justice for all. The history of our Nation has been the continued expansion of rights, opportunities, and responsibilities to more and more Americans. It is in our interests and in the interests of all humankind to see that the expansion happens in other countries as well.

I urge my Senate colleagues to vote for the ratification of this treaty. It is the right vote to take for the United States. Standing up for basic human rights is right. It is right to protect our citizens when they travel internationally. I urge my colleagues to vote for ratification.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for such time as I may consume.

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

HOUSE AND SENATE ACTION

Mr. WHITEHOUSE. Mr. President, I just wished to address two things. The first is that we are having a continuing discussion about the budget of our country and about the taxes of our country and indeed about the unfair and often upside down nature of our current Tax Code that allows people making hundreds of millions of dollars a year to pay a lower tax rate than a family who earns $100,000 a year.

In the context of that discussion, there is one thing that I think we can do right now that would be important and helpful to the vast majority of Americans, indeed to 98 percent of American families and 97 percent of American small businesses; that is, to assure them that their taxes are not going to go up on January 1.

Assuming we cannot get to a budget agreement before January, then automatically all the Bush tax cuts will end. The Senate has actually passed a law that will allow those tax cuts to be curtailed, to be protected for families who earn $250,000 a year and less. That bill has passed the Senate. It is now over at the House awaiting action by the House.

The Republican-controlled House is in a position, anytime the Speaker chooses to call up that bill, to pass a guarantee of protection from tax increases that will protect 98 percent of American families and 97 percent of American small businesses. I think they should do that. It is simply awaiting their action. There is nothing more we can do in the Senate. We have already passed that bill. It is one step away—Speaker BOEHNER allowing it to be called up and having it voted on—from becoming law and protecting 98 percent of families and 97 percent of small businesses from a tax increase on January 1.

There is a real likelihood we will have to go beyond January 1 because so many of our colleagues have sworn that oath to Grover Norquist that they will not let taxes go up. He maintains the Bush tax cuts should last into eternity and anything above that would be a tax increase and violate the pledge.

So we may have to wait until January 1, until the actual expiration of the Bush tax cuts vitiates that baseline and allows Republicans to enter into the very same deal they could have before, only now it is a tax decrease from the current rate that would presumably not get them in trouble with Mr. Norquist versus a tax increase from his—I think at this point—illogical and irrational projection of the Bush tax cuts into the indefinite future. So I call on our friends in the House of Representatives to pass that bill and give the vast majority of Americans relief from whatever uncertainty there might be about going beyond the January 1 deadline.

The second issue I wished to address is to respond briefly to my friend from Arizona Senator KYL, who spoke about the filibuster and the rules changes that are being discussed in this Chamber. He spoke this morning. I had the chance to watch a good part of his remarks on the television.

I wanted to respond in a couple ways. First of all, I have the highest regard for Senator KYL. We worked closely together trying to get a cyber security compromise. We worked together years ago on the immigration compromise. I have seen him in action on the Senate floor. He is very able. When he has reached an agreement with his colleagues, he is unshakeable and his word is good. I think very highly of him, although we do not agree politically on a great number of issues.

But I did, in an atmosphere of great respect for him, wish to respond in a couple ways. The first is that I believe, at least, that there is a difference between what we are considering with this rules change and the so-called nuclear option that was threatened were respect to judges.

The reason I think that is the case is that I have read the old opinions from previous Presiding Officers in the Senate and Vice Presidents in the past who have said that the way the Senate rules work is that although we are a continuing body, the way in which the rules continue from Senate to Senate is that we are impliedly readopting the rules as soon as we take any business under the rules each new session.

The House behaves differently. The House has new rules each session. It is an entirely new reelected body each session. So they have to open by creating a new set of rules and adopting them. They do that at the beginning of every session. We virtually never do that. The rules continue. How is it that the rules continue? The ruling is that that continue because they are deemed to continue as soon as the Senate takes action under those rules, whatever it is. As soon as they take action under those rules at the beginning of a session, those rules are then deemed to be back in place, and we do not need to readopt them.

But that does mean, at the beginning of each session, there is an opportunity, under the Constitution, to change the rules by a simple parliamentary majority of 51. I do not think that is breaking the rules to change the rules. That is part of the rule. That is how the rules actually work in the Senate, at least that is my belief and my opinion.

Given that, I think arguing that this is somehow breaking the rules or the same as the nuclear option is not quite accurate. This and the nuclear option share the similarity of allowing the Senate to proceed with a simple majority. They do share that similarity. But this is different because we can only do that one early, first moment, as each new Senate comes into session. Some could say that is actually there as a safety valve for situations just like this where one party is consistently, regularly determinedly abusing a rule, but because the other party cannot get to 67 votes, they cannot change or correct the rule to restore the Senate to its proper behavior.

I would note that I think there is virtually nobody in this Chamber who thinks the Senate is operating the way the Senate should. We have had literally hundreds of filibusters, and they are not the old-fashioned filibuster people remember from ''Mr. Smith Goes to Washington,'' when Senator Jefferson Smith stood at a desk, probably about there in their mockup of the Senate floor, and talked himself to exhaustion, reading from the Bible, reading from the Constitution. He may have even read from the dictionary. I remember there was an old reporter up in the press gallery speaking about this. He talked about it being one of the great examples of American democracy, one lone Senator able to speak until he is exhausted on a point that matters to him.

People may have been frustrated by that kind of filibuster, but there was at least a kind of nobility to it. The filibuster of today is very different. It is a threat from the minority party to bombard something with amendments so it cannot be managed on the floor. It is a threat to filibuster, to which the majority leader has to respond by filing cloture, and when the majority leader is forced to file cloture, the minority gets the benefit. They get 30 hours of debate.

Of course, as we have seen in the Senate, that 30 hours of debate is never used. It just consumes 30 hours of floor time, most of it spent, as the distinguished Presiding Officer and I and others who preside in the Senate notice, in quorum calls, in endless deadly quorum calls with the poor old clerk having to call off the names slowly and quietly in the Chamber and nothing going on.

People who are looking at this on C–SPAN and who dial into the Senate very often see that nothing is going on. That nothing going on is usually the hallmark of the modern filibuster. It is a colossal waste of time. It is intended to be a colossal waste of time. Because if we do that hundreds of times, as our minority has, multiply those hundreds of filibusters by 30 hours each, and they have ruined thousands of hours of Senate floor time.

That disables this institution, and it puts the majority under immense pressure to do the basic business of passing appropriations bills, the very simple operations of government. Very often we hear our colleagues on the other side criticize that we have not passed those. Those are complaints that are made with real crocodile tears because it is the consistent, relentless filibuster that puts the Senate in a position where it does not have floor time to do that work.

I think, first of all, that what we are proposing is slightly different than the nuclear option, even though it shares that characteristic of getting to 51 votes, that it is unique to the rule function of the Senate, that it happens just that once, and that one could argue it is a safety valve that protects against situations like this.

My second point is this is not a good situation for the Senate. We waste immense amounts of time. The filibuster is used constantly. It used to be that Senators filibustered bills that they violently opposed. Now the minority filibusters everything. How often have we had the experience that something is filibustered and we finally break the filibuster and when we actually get to the vote on the actual merits of the bill, it passes with 95 or 98 Senators supporting it.

What do we conclude if you filibuster something that 98 percent of Senators are going to support when it finally gets to the floor? We can only conclude

that it is being used to obstruct and delay. There is too much of that. We have too much business to be done. So I do not think there is anybody who can say the Senate is working in a way that it should under the present practices. If it takes changing a rule to change those practices, I think it will be better for everyone.

I also wish to point out that nobody is saying there should be an end to the filibuster. What we are saying is those who want to filibuster should carry the burden of being on the floor expressing their concerns and actually doing the filibuster. It is one of the great frustrations of those who have to defend against the filibuster that very often the members of the minority party do not even have to show up for the vote. The rule of the filibuster is that we have to get to 60 votes or it fails.

Whether the vote is 60 to 1 or 60 to 40 does not matter. So we get thrown into having to show up and vote on filibusters, and the minority party does not even have to be here. We have heard a Senator say: Well, you know, you guys, you will be here on Monday because you have this vote you have to take. But we do not have to be here, so I am not coming back.

We have had Senators who have actually forced a vote on cloture themselves go away when it came time for the vote, go home, and the rest of us had to be here to do it at that point. The filibuster is just being used to harass colleagues and to create difficulty, and I think that is a real problem and that it is worth pressing through it.

Another concern that Senator KYL raised is that people's voices would be silenced if the majority leader had the authority to go directly to a bill without allowing for amendments. Two points on that: First, I, for one, am perfectly open to a rule change that provides for some kind of an amendment process. As the majority leader said earlier, we have our proposal out there, where is yours? If we are going to negotiate, make a counterproposal. If the counterproposal contains a requirement that certain amendments be considered, a certain number of amendments—germane amendments, one would hope—I think that is something that a great number of Senators on our side would look at with sympathy and, perhaps, with approval.

That is an argument. I don't think it is a sufficient one because I do believe we can address that question, every question.

I would conclude, because I see the distinguished Senator from New Hampshire here, that I think this is an issue we can work out and that we can work out together. I think we can make the Senate a better place, a place where there is more actual debate and more progress and more gets accomplished rather than just this relentless filibuster, this filibuster at all times, of all bills, all appointments, over and over, nonstop, completely jamming up this body and creating these enormous periods of delay while we go through procedural hoops and around procedural circles. We should be better than this, and the American people deserve better than this.

I hope this discussion about changing the rules moves us from where we are right now—which is just wrong; it just isn't working—to a place where we can be a Senate again that requires people who want to filibuster to get up on their feet in this Chamber and say what they have to say until they are exhausted. So be it. I think that would be an improvement on the matters where I would feel strongly enough to filibuster, and I am confident that I would be willing to take that step in the event we were someday in the minority.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. I ask unanimous consent to speak for up to 5 minutes on the topic of the Convention on the Rights of Persons with Disabilities.

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

Mr. COONS. Mr. President, I rise today as not just the Member from Delaware but also as a member of the Senate Foreign Relations Committee to speak to the topic before us of the convention and whether the United States should ratify a convention on the rights of persons with disabilities.

Our country has long been a global leader in recognizing and protecting the basic rights, the human rights of all people, including those with disabilities, and of working hard to be at the forefront of a global movement to improve access to the basic and essential aspects of productive daily life for those with disabilities. Today we have the opportunity to help extend those rights, the same rights that disabled Americans have to other people around the world. If we have that opportunity to promote freedom and human rights, why wouldn't we ensure these protections that apply to Americans apply to them abroad as well and to others, some of the nearly 1 billion fellow citizens of the world who live with disabilities.

This treaty that is before us today was adopted by the United Nations in 2006 with 153 nations as signatories and so far 116 as ratifying parties. It has been 6 long years that the United States has not joined as a ratifying party. This treaty has passed with strong bipartisan support through the Foreign Relations Committee by a vote we took back in July after hearings, and it is been nearly 6 months since that vote. Yet this treaty, sadly, faces opposition on the floor of the Senate.

This Convention on the Rights of Persons with Disabilities was negotiated during the Bush administration, and it enjoys strong bipartisan support. I am proud to join Senators MCCAIN, BARRASSO, MORAN, DURBIN, HARKIN, UDALL, and many others who have been advocating for its passage since March. It would, as has been said, not require any changes to U.S. law and would have no impact on our Federal budget. It would instead promote U.S. business interests by creating a level playing field for U.S. companies by equalizing accessibility requirements that foreign businesses must meet, and it would create new markets for innovative U.S. businesses with expertise in standards and technologies that would help ease the lives of those with disabilities. At least as importantly, it would promote access, mobility, and inclusion for disabled Americans abroad, especially wounded veterans.

Last but not least, it would protect the right of families to homeschool their children if they choose to do so, a topic on which my office received many concerned calls from constituents. We heard directly from the Justice Department during our hearing on the Foreign Relations Committee on this convention that ratification of this treaty will not in any way erode the rights of parents with disabled children to educate their children at home if they so choose.

In short, Mr. President, ratification only benefits the United States and protects Americans. The world has long looked to us as a global leader, as a moral compass, as a defender of freedom and human rights. In my view, we owe a great debt to many who have served in this Chamber before us, including, principally among them, Senator Bob Dole, who, along with many others, led the initial fight for the ratification of the Americans with Disabilities Act.

The least we can do for people with disabilities all around the world is to step to the plate, to ratify this Convention on the Rights of Persons with Disabilities without delay. It is my hope this Senate, in a bipartisan way, can come together in the spirit of unity to protect dignity and human rights for all.

I urge my colleagues to join me in voting for the ratification of this most important treaty.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I also ask unanimous consent to speak for about 5 minutes on the Convention on the Rights of Persons with Disabilities.

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

Mrs. SHAHEEN. I am here to join my colleagues, as I had the great pleasure of being in the chair for a while this afternoon to hear some of the expression of support for the Convention on the Rights of Persons with Disabilities. It was very eloquent, and it was bipartisan. I begin by thanking Senators KERRY and LUGAR for their efforts in the Foreign Relations Committee to not only pass the treaty in committee but to bring it to the Senate floor for this consideration.

I certainly support ratification of the Disabilities Convention because it is

the right thing to do and because it puts the United States back where we belong: as leaders of the international community and defending, protecting, and promoting the quality of rights of all people in our world, regardless of their situation. From equality and nondiscrimination to equal recognition before the law, to access to justice, this convention touches on all these issues that Americans have long held near and dear to our hearts.

Ratifying this convention would reaffirm our leadership, leadership that was established under the landmark Americans with Disabilities Act legislation that this Congress passed in 1990. This was the first of its kind, domestic legislation that addressed the barriers faced by individuals with disabilities. It sent a message to the world that we would support the principles of equal treatment and nondiscrimination with respect to those with disabilities.

I want to recognize Senator TOM HARKIN for his leadership in getting that legislation passed, and it had strong bipartisan support when it was passed back in 1990. That legislation still stands as a model for those who want to replicate our commitments and defend the rights of the disabled in their countries.

I have had a personal opportunity to see what a difference the Americans with Disabilities Act could make in the lives of people, to see the impact this convention could have around the world, because I grew up before ADA was passed and my grandmother was disabled. She couldn't speak or hear. I remember in those days, when she would come to visit us—which wasn't very often because she lived a long way away—we didn't have any technology to allow her to watch television or to answer the phone, the kind of technology that now is available as the result of passing the ADA, technology that I would hope, along with the human rights that come with passing this convention, will soon be available to people in all parts of the world.

We in the United States are already the gold standard when it comes to defending the rights of the disabled. So why would we not want to demonstrate to the world our intention to continue to fight for those less fortunate?

This treaty is not only about ending discrimination against people with disabilities around the world, it is also about protecting the millions of U.S. citizens who travel or live abroad. Ratification will provide the United States with a platform from which we can encourage other countries to adopt and implement the convention standards and to work to end discrimination against people with disabilities.

Let me just respond to some of the concerns we have heard, and some of these have been addressed already. I want to talk about what the treaty does not do.

It in no way, shape, or form infringes on America's sovereignty as a nation. It does absolutely nothing to change American law. The treaty doesn't impose any legal obligations on the United States, and these facts were confirmed by the U.S. Department of Justice during our consideration of the measure.

The convention has overwhelming support from across the political spectrum. Over 165 disability organizations support the treaty, as do 21 major veterans and military service organizations, including the VFW, the American Legion, and the Wounded Warrior Project. I can't imagine why, at a time when more of our warriors are returning home with injuries and disabilities, we would not want to stand in support of ensuring their rights and protections at home and around the globe.

In closing, I want to quote from John Lancaster, who is a disabled veteran and the former executive director of the National Council on Independent Living, which is one of the oldest disability grassroots organizations run by and for people with disabilities. Mr. Lancaster testified at the Senate Foreign Relations Committee in support of the treaty. I think his message was one of the most powerful, and it is one that I hope all of our colleagues will heed in thinking about consideration of this treaty.

At the hearing he said:

> I'm appalled with some of the conversation that has been going on here today.

He was referring to some of the testimony at that hearing. He said:

> As a veteran and as someone who volunteered, laid my life on the line for freedom, rights, dignity, and now, to have this whole debate that we're not willing . . . to walk the talk in international circles? To step up in a forum where they advocate these things and to say ''We're not afraid to sign this thing?''
>
> We aspire to what's in this convention. This is what we are about as a nation—including people, giving them freedom, giving them rights, giving them the opportunity to work, to learn, to participate. Isn't that what we're about? Isn't that what we want the rest of the world to be about? Well, if we aren't willing to say this is a good thing and to say it formally, what are we about, really?

I think Mr. Lancaster put it very powerfully, and I couldn't agree more with his assessment. This is exactly what we are about as a nation. We should ratify this treaty. We should remind the world why defending the rights of the disabled is a principle that should be at the heart of every civil society.

Mr. President, I hope when we get to the vote on this convention we will see the required votes to ratify this treaty and send to the entire world Mr. Lancaster's message.

Mr. President, I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

MORNING BUSINESS

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

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

PREVENTING GUN VIOLENCE

Mr. LEVIN. Mr. President, as the 112th Congress returns after the election, we should consider this important question: Have we done our share to help prevent gun violence? Statistics from the Brady Campaign to Prevent Gun Violence give a clear answer—no. Almost 100,000 people die as the result of gun violence in America every single year. This statistic includes 12,000 people who are murdered, 18,000 who commit suicide, and 20,000 under the age of 20. On average, 270 people are shot in the United States every single day.

Our society faces an epidemic of gun violence. Consider stories that have gone largely unreported in recent months: Near Chicago, a 16-year-old was shot twice in the head while riding in a car on her way home. A staff member on a prominent university's medical campus accidentally discharged his handgun at work and injured two people. And on election day, a parolee in California walked into the plant where he worked, methodically murdered two of his coworkers, and wounded another two before shooting himself.

Stories like these flash across newspapers for a few days or weeks, and then the national spotlight moves on. But we cannot forget that while reporters may leave, the tragic effects of gun violence linger. They forever alter the lives of good, talented young people, like Ashley Moser, who lost her 6-year-old daughter in the horrific movie theater attack in Aurora, CO. She is partially paralyzed now and faces significant health problems and medical bills. But even after this nightmare, Congress did nothing to prevent guns from falling into the hands of would-be killers.

Congress has the power to act to prevent more of these tragedies. We can take up and pass legislation like S.32, which would prohibit the purchase of the same types of high-capacity magazines that allowed the shooter in Aurora to hurt so many people, so quickly. We could enact S.35, the Gun Show Loophole Act of 2011, which would close the ''gun show loophole'' by requiring

all gun sellers at gun shows to conduct a Brady criminal background check on prospective purchasers. We could take up and pass S.34, the Denying Firearms and Explosives to Dangerous Terrorists Act of 2011, which would close the ''terror gap'' by authorizing the Attorney General to deny the transfer of a firearm when an FBI background check reveals that the prospective purchaser is a known or suspected terrorist. These are commonsense measures that would protect the American people by reducing firearm violence in our society.

Mr. President, it was over a month ago that a woman named Nina Gonzalez stood at the second Presidential debate and asked President Obama and Governor Romney a simple question: What would they do to keep assault weapons out of the hands of criminals?

So, as the 112th Congress returns, we have some important unfinished business. There are few tasks before us more important than enacting measures that would help prevent tragedies like the ones occurring far too often around our Nation.

HONORING OUR ARMED FORCES

SERGEANT JOSEPH A. RICHARDSON

Mr. GRASSLEY. Mr. President, the Nation has lost a brave patriot who died defending freedom. Sergeant Joseph A. Richardson, who grew up in Algona, IA, was killed during a patrol in Paktika province, Afghanistan on November 16, 2012. He was clearly an accomplished, professional soldier as evidenced by his numerous awards, including: the Bronze Star Medal, Purple Heart, Army Commendation Medal, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal with Campaign Star Iraq Campaign Medal with Campaign Star, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, NATO Ribbon, and the Combat Infantry Badge.

SGT Richardson's family released a statement that described Joe as someone who ''lived his life full of energy and with passion for everything he did.'' They also said that, ''He loved his job; he loved fighting for his country and our freedom.'' In fact, he demonstrated this by re-enlisting for six more years in the Army shortly before his untimely death. His love of country and willingness to serve marks Joseph Richardson as one of our nation's finest citizens, and his noble sacrifice immortalizes him among the ranks of our most honored war dead. We owe SGT Richardson and all those like him who have fallen in the name of liberty our infinite gratitude.

We ought also to remember his family in our prayers, including his wife Ashley, his mother, Ginette, his father, Greg, and many other family and friends who will feel his loss very deeply. As those closest to Joseph Richardson remember the life of their loved one, it is incumbent on all Americans to preserve his memory and to reflect on the enormous price he and other like him have paid to preserve our free way of life.

VERMONT'S CITIZEN OF THE YEAR, ANTONIO POMERLEAU

Mr. LEAHY. Mr. President, today, the Vermont Chamber of Commerce will recognize the philanthropic contributions of a longtime Vermonter: Antonio Pomerleau. Businessman, community developer, humanitarian all these terms apply to one of Vermont's most celebrated citizens. As I said in a statement to the Senate earlier this month, Marcelle and I are also fortunate to call him family.

But Tony's family extends beyond the Pomerleaus. It has come to encompass the State of Vermont, and his generosity has touched the lives of thousands of Vermonters.

This weekend, The Burlington Free Press published a story about Tony's legacy. His is a quintessential success story. From stockboy to economic magnet, Tony has become one of Vermont's most prominent businessmen. Along the way, he has donated millions of his own money to help Vermonters recover in the wake of such natural disasters as Tropical Storm Irene, to help renovate and restore mobile home parks for residents, and, notably, to celebrate the contributions and sacrifices of the many members of the Vermont National Guard and their families.

Few Vermonters have had such a footprint on Vermont's economic and social landscape. Antonio Pomerleau's contributions make him a Vermonter of the Year in 2012, but his legacy will benefit generations of Vermonters to come.

I ask unanimous consent that The Burlington Free Press article, ''Tony Pomerleau: The Art of the Dealmaker,'' be printed in the RECORD.

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

[The Burlington Free Press, Nov. 25, 2012]

TONY POMERLEAU: THE ART OF THE DEALMAKER

(By Candace Page)

NEWPORT—Tony Pomerleau leans on his cane and steps into Mill River Furniture on Main Street, just in time for its grand opening ceremony. A dozen people converge on him, filings drawn to a magnet.

The mayor greets him. City councilors introduce themselves. Two local reporters quiz him about the fate of the city's only grocery store if plans go forward to redevelop his strip mall into a hotel and convention center. The head of the downtown association calls him over for a ribbon-cutting photo. ''We need you Tony, right in the middle,'' she says.

The 95-year-old, white-maned shopping center king of Vermont is in his element, back in his native town with a captive audience. He holds court for nearly an hour while the furniture store owner whose event this is left in the background.

''I was 12 when I started work here,'' Pomerleau begins by recalling his days as a stockboy and window dresser when this building was a J.J. Newberry's five-and-dime. ''I had a knack for windows. This is where I started my success. I learned the customer has to see the merchandise if you want to sell.''

Today, he owns the building. ''I put $400,000 into it to fix it up,'' he says, his words carrying the French-Canadian inflection he has never lost.

He jokes that store owner Skip Gray was ''kinda chicken'' about moving to Main Street from a much smaller store in the Pomerleau shopping center. His eyes sparkle. He laughs along with the audience at his own jokes.

In a voice graveled by age, he detours into stories that have become his stock in trade. The anecdotes reel off as if from a tape recorder, told and retold in almost exactly the same words.

''It's not what you pay for something, it's what you can get for it,'' he tells the cluster of people, citing a real estate deal 40 years in the past. ''I made $237,000 in 90 days'' he says of a tract of farmland bought, subdivided and sold for three times what he paid.

He laments the just-announced closing of the Eveready battery plant in St. Albans. The company's problem, he says with finality, is that they didn't change with the times by developing new products.

''You gotta do something different from the other fellow,'' he says. ''There's a time limit on everything—except me.'' The line draws a chuckle from his clutch of listeners, as it always does.

Grace, the youngest of Pomerleau's 10 children, glances up from browsing among bedroom sets.

''He does love an audience,'' she says.

'See the smoke coming out?'

On a late November night, the outside of Pomerleau's big house on DeForest Heights in Burlington is a neon carnival of Christmas.

Light-bulb-lit reindeer charge across the west lawn pulling a sleigh of presents. Shoulder-high candy canes stick from the north lawn. Christmas lights cling to the eaves and swathe the trees in all directions.

Pomerleau opens the door for guests and pads down a hallway in his slippers to point through the windows of his home office.

''That's a new one this year,'' he says with childlike pleasure, pointing to a lighted train on the north lawn.

''See, the wheels go around,'' he says, as lights on the train blink to mimic movement. ''See the smoke coming out there. Isn't that cute?'' More lights blink.

As a very young child, Pomerleau spent four or five years—the time varies in the telling—in a kind of iron corset after a bad fall when he was two. His father's Barton farm burned. The family moved to Newport. The Depression struck. His father's grocery burned.

In his telling, young Tony went to work barely out of elementary school, making deals, subcontracting the mowing of lawns and washing of cars to other kids or out-of-work men and taking a hefty cut of the pay.

His stories of childhood Christmases are happy ones, of horses and sleighs lined up outside the church for midnight Mass, the bells as the sleighs jingled home, the sound of carols.

But there is another memory as well. He walks into the living rooms and leans against the piano, its top invisible under the rows of photos of his children.

''I was 12 or 13. One day I heard my father say to my mother, 'This is the first Christmas I can't afford any presents.' I went down to the bank and took out $25—that was money in those days—to give him.''

''I came from nothing,'' he often says, setting the backdrop for stories of his successes.

The big living room where an army of kids once played seems empty on a pre-Thanksgiving evening. Country station WOKO plays loudly on the radio.

In the kitchen, an aide is helping Pomerleau's 93-year-old wife, Rita, with her dinner. Alzheimer's disease has slowly claimed her.

''It's the worst damn disease,'' he says. She speaks very little, but still holds his hand and kisses him, he says.

''Come back tomorrow night,'' he says as he ushers out his visitors. ''We're putting up more lights. It's going to look even better.''

'This business doesn't happen by itself'

Antonio B. Pomerleau made his first million before he was 45 and has made millions more since. His supermarket-anchored strip malls dot nearly two dozen towns in Vermont and upstate New York. He and his son Ernie have a staff of 25 to help run their real estate businesses.

But here is the patriarch, spending a sunny November afternoon in the artificial light of a windowless Newport bowling alley two hours drive from his Burlington home, talking intently and at length to a tenant whose lease payment cannot amount to more than loose change in the Pomerleau business.

There are gumball machines along the wall, a Nascar-themed light over the pool table and an echoing feel to the place. A lone father and son hurl heavy balls down one of the 10 lanes.

''How's it going?'' Pomerleau asks as he lowers himself carefully into a plastic chair beside a row of bowling balls.

''About like last year,'' Yvan Parenteau, the alley's owner, says.

''That wasn't too good,'' Pomerleau says.

In fact, the business is struggling. Parenteau has trouble making the rent. He is worried about his fate if the mall is converted to a convention center. Pomerleau makes no promises, only says no deal has been signed yet. ''I never skin a bear until I've shot it,'' he's been telling everyone he meets today.

After an hour, Pomerleau pushes himself up and says goodbye. He climbs into his Mercedes for the trip back to Burlington.

''Now you see my life. This business doesn't happen by itself,'' he says of his real estate empire.

He lists communities where bowling alleys, some of which he built, have closed. Changing times, he says. He has adjusted Parenteau's rent, allowing him to pay more in the winter, less in summer. He has suggested prize-giving gimmicks to draw in customers, and arranged for the bowling alley to have a more prominent sign on the road. Later, Parenteau will say of Pomerleau, ''You couldn't have a better landlord.''

Still, Pomerleau says, ''If he can't pay the rent, he won't be here next year.''

'I'm the boss'

A stairlift descends almost noiselessly from the third floor at Follett House, the elegant 19th-century Burlington mansion the Pomerleaus saved and restored as their offices. Tony Pomerleau climbs off the lift, which he has used since a knee injury.

''Hello, hello, hello,'' he greets a visitor and leads the way into his office. He is surrounded by signs of success, from the million-dollar view of Lake Champlain outside the window, to the picture of himself with President Reagan.

He rises each day, puts on a suit and tie and goes to the office. He takes business calls over breakfast and into the dinner hour.

The Pomerleau family owns shopping centers in 18 Vermont communities and four in New York. Most are strip malls anchored by a supermarket. They are small by comparison with a University Mall or the Williston big-box stores. Pomerleau's single largest holding is the Shelburne Road Plaza in Burlington, valued at $14.6 million.

''What the hell would I want a mall for?'' he says. ''I make a lot of money the way I do things.''

He spotted the attraction of shopping malls early, understood the importance of location, pinched pennies, negotiated hard with his lenders, gave up higher rents for a percentage of a store's gross.

He has transferred ownership of many of his holdings to his children, about $50 million worth, he says. Ernie Pomerleau, 65, runs the day-to-day operations of the family businesses and does many of his own deals.

So what is the elder Pomerleau's role?

''I'm the boss,'' Tony Pomerleau insists. ''I'm doing deals every day . . . moving that furniture store to Main Street in Newport. I got the Merchants Bank moving into my building in South Burlington . . . lots of deals.''

His speech occasionally stutters. ''And and and so so so . . .'' he growls. It's not clear whether he's lost his train of thought, or is simply determined to hold the floor until he's ready for the next sentence.

He still calculates dollars and cents in his head and appears never to have forgotten a number.

''Now Price Chopper,'' he begins, and outlines precisely what the CEO of the grocery chain expected to gross at a new store in Champlain, N. Y., and what Pomerleau told him he would gross—and just how wrong Price Chopper was and just how right Tony Pomerleau was: many million dollars right—''but don't put that in the paper,'' he says of the exact figure he names. ''Price Chopper wouldn't like it.''

''I make more money today than I ever made in my life, and I don't need it. I give it away,'' he says. ''I'm not old, I'm here every day making all kinds of deals. Everybody has a time limit—except me.''

No regrets, no failures, no mistakes

It is a long drive from Burlington to Newport and back. Grace drives, but her father is in control.

''Turn here,'' he says. As the miles pass by: ''Don't go that way . . . go this way . . . don't miss the turn . . . keep going, I'll show you where to stop.''

It's a long enough trip for dozens of familiar anecdotes starring Tony Pomerleau: The ''$237,000 profit in 90 days'' story. The ''I probably opened the first self-service supermarket in the country'' story. The ''how I beat two sharp guys from Boston in a real estate deal and made a couple million'' story.

The car passes White's Tree Farm on Vermont 15 in Essex. Hundreds of tiny Christmas trees grow in long rows.

''There's a guy looking 20 years ahead,'' he says and notes that he recently bought 18 acres across from the family's expanding shopping center in Milton. Sometime in the future ''it'll be worth two, three times what I paid.''

''There's a time limit on everything—except me,'' he says.

A reporter, probing, asks about him about failures, deals that didn't work out.

''I don't remember any,'' he says. Earlier, it was suggested that his proposal for high rises on the Burlington waterfront—rejected by the city in the early 1980s—might be considered a failure. He brushed the thought aside.

Big regrets in his 95 years?

''No regrets,'' he says.

His biggest mistake?

There is a long pause.

''The toughest was the wholesale business, but I made a success of it,'' he says.

'I'm not quite as young as you'

It's 8:30 in the morning when Pomerleau walks into the conference room at the Shelburne town offices. Town Manager Paul Bohne and Selectman Al Gobeille stand up. They greet him enthusiastically.

Around this town, Pomerleau is the hero of the moment. The future of the little Shelburnewood mobile home park in the center of town has been in limbo for nearly a decade as the park's owner tried to sell.

Pomerleau stepped in earlier this year. His wife's two caregivers live at Shelburnewood and asked him for advice. They were worried about the future of their modest homes.

He decided to buy the mobile home park, replace the aging and inadequate water and sewer lines and give the park it to its residents. He will retain another six acres of the 18-acre parcel for possible future development.

It is one of many acts of charitable giving that have become a bigger part of what people know about Pomerleau. There are the annual children's Christmas parties in Burlington and Newport, the party for 1,200 Vermont National Guardsmen and their spouses. There have been million-dollars gifts to St. Michael's College, the YMCA and to a fund to help mobile home residents rebuild after last year's tropical storm.

He is scornful of businesspeople who, their fortunes made in Vermont, move their official residence to Florida to avoid higher taxes. ''It's wrong,'' he'll say. ''You made your money here and Vermont needs you. I pay very big taxes and I never complain.''

Now, he sits down with Bohne and Gobeille.

''First of all, I never went into a deal in my life knowing I was going to lose money,'' he says. ''The main reason I'm doing this, these people didn't know where the hell they were going to go.''

He's in the driver's seat. He has agreed in principle to give the town a right-of-way for a new road through the Shelburnewood property. The town has a change in configuration to suggest. Bohne and Gobeille deploy arguments.

Pomerleau immediately makes clear he is not interested. Making changes would mean a longer time line for getting the project done.

''This would cause a lot of delay and I'm not quite as young as you,'' he tells them.

''You've got another 10 years,'' Gobeille joshes.

''Oh no question, no question,'' Pomerleau says and changes tack. ''No question your idea is good, but I don't want to do it. I don't want to delay it for those people. It would kill them.''

Bohne and Gobeille make one more pitch, then accept his refusal and drop their proposal.

Pomerleau repeats his objections anyway, one last time.

''For me, I think I'd rather stay with my plan. I might live another 10 years. Five, no question, but 10. . . .''

'Everybody has a time limit'

Pomerleau pushes open the gate in the wrought-iron fence that surrounds the family plot at Resurrection Park Cemetery in South Burlington. ''Plot'' seems an inadequate word for this cemetery within a cemetery.

A colonnade of pointed cedars leads to a backless façade modeled on a Greek temple, its columns also recalling those at Follett House.

''I like columns,'' he says. He guides two visitors past the statue of the Virgin Mary, past a bird bath, granite planters, stone benches, all carefully swathed in plastic for the winter. The flowers are beautiful in summer, he says.

''This was all my idea. I didn't ask anybody. Didn't want them to tell me what to do,'' he says. He jokes, ''My kids would probably put me in the woods.''

''This is my father here, and my mother,'' he says, stopping by a row of five stones where he has moved the bodies of his parents, an uncle and an aunt. In an opposite line are the stones for the two daughters, Anne Marie and Ellen, he lost to cancer.

''Go over there,'' he says, ''Look at that one.'' In a little nook off the main lawn, sits a stone for Jay Lefebvre, the family's housekeeper of 40 years.

''I told her before she died, you are part of the family, you are going to be here with us,'' he says.

He walks slowly toward the line of columns that serves as a dramatic backdrop. He climbs up three steps. Here, at the head of the family, a bit above them all, a pair of massive, polished slabs are set in the ground. Pomerleau's name is carved on one, his wife's on the other.

The man who constantly jokes that St. Peter has forgotten him has nevertheless prepared.

But Tony, one of his visitors asks, what about ''everybody has a time limit—except me''?

''This is just in case,'' he says.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR ALISON KAMATARIS

• Ms. AYOTTE. Mr. President, today I want to honor my Air Force legislative fellow, active duty MAJ Alison ''Babs'' Kamataris. For the past year, Babs has been an invaluable member of my legislative team.

Babs has served with honor and distinction in the United States Air Force for nearly 15 years. She is an accomplished Air Force intelligence officer—representing the best our military has to offer. Her career has included a tour in Turkey and two tours in South Korea, as well as six deployments to Iraq and Afghanistan. In Congress, she has been a critical asset to my legislative team, where she has used her tremendous knowledge and experience to help me in my efforts to serve those who serve us, and ensure that our brave servicemembers have the resources they need to carry out their missions and protect our country.

Babs was a natural fit for our office. She grew up in Belmont, NH and attended Norwich University in Vermont. She possesses that rugged, hard-working, do-it-yourself attitude for which Granite Staters are known. We also share a personal connection as Air Force families. Not only has Babs served our country in the Air Force with distinction, but her husband has too. Like my husband Joe, Babs' husband Andy is an A–10 pilot. In fact, Andy deployed to Afghanistan for 4 months this year while Babs worked in my office and served as a conscientious mother to her beautiful 3-year-old daughter, Taylor. Babs and her family deserve our deep admiration and gratitude for their service to our country.

As Babs' tenure in our office comes to a conclusion, we are sad to see her go. We will always consider Babs and her entire Air Force family as part of our team. Babs will continue to serve our Nation well in positions of increasing responsibility. I look forward to watching her career closely. Babs and Andy are truly the best our country has to offer. I and my staff wish her the very best in her next assignment and beyond.•

TRIBUTE TO DUANE BEESON

• Mrs. BOXER. Mr. President, I would like to take this opportunity to commend the renowned attorney Duane Beeson, who is being honored this year with the Peggy Browning Fund Award in recognition of his tireless efforts and outstanding achievements on behalf of working men and women in the San Francisco Bay area.

As senior partner in the law firm of Beeson, Tayer & Bodine, Duane Beeson is one of the Nation's leading practitioners of public and private sector labor law, including representation of employee benefit plans. He is a member of the California State Bar, the Supreme Court of the United States Bar, and several United States District Courts and Courts of Appeal Bars.

Duane Beeson was born in Berkeley, CA in 1922 and graduated from Berkeley High School, where he met his future wife, Coni. After serving in the U.S. Army in the European theater in World War II, Duane graduated summa cum laude from Lafayette College and earned his LL.B. at Harvard Law School in 1948.

Following law school, Mr. Beeson served as clerk for Judge William E. Orr at the United States Court of Appeals for the Ninth Circuit and was an instructor at the University of San Francisco Law School. As a leading expert on labor law, he has also taught at Hastings College of the Law, George Washington Law School, the University of California Extension, and the University of San Francisco Labor Management School.

In 1950, Mr. Beeson moved to Washington, DC, where he worked for 11 years as an attorney for the National Labor Relations Board, handling appellate and Supreme Court litigation. In 1961, the Beesons had the opportunity to return to their beloved California when Duane was hired by Joseph Grodin, the great labor lawyer and later California Supreme Court Justice, to represent teachers unions in the Bay area. Mr. Beeson became a partner in the firm, which was then known as Brundage Neyhart Grodin & Beeson and is now Beeson, Tayer & Bodine.

In the 1970s and 80s, Joe Grodin and Duane Beeson led their firm into the areas of employment benefits covered by ERISA and related fields in which labor organizations are involved. More recently, the firm has become active in employment law of all kinds—including mediation and negotiation-facilitation services along with representation of individual employees in wage and hour, discrimination, harassment, and other types of cases—and has also developed a specialty in education law as an outgrowth of representing teacher unions.

I have known and respected Duane Beeson for many years, since my husband Stewart went to work at Duane's firm as a young attorney. As Duane turns 90 and is honored with the Peggy Browning Fund Award, it is my pleasure to salute and celebrate his long and distinguished career representing the working people of California. He is truly one of a kind.•

TRIBUTE TO DR. KNOX MELLON

• Mrs. BOXER. Mr. President, I wish to take this opportunity to recognize the extraordinary service of Dr. Knox Mellon who is retiring from the California Missions Foundation after 8 years as its executive director. Though he will be missed, his contributions to the field of historic preservation will benefit generations to come.

Dr. Mellon has had a long and distinguished career in the field of historic preservation. In 1977, he was appointed as California's first professional State Historic Preservation Officer by Governor Jerry Brown. He served in that position until 1983 and then branched out on his own, starting Knox Mellon and Associates, a consulting firm specializing in historic preservation, oral history, historic research, and strategic planning. Dr. Mellon's firm worked on a number of historic buildings in Southern California, including the Downtown Central Library in Los Angeles, Los Angeles City Hall, the Beverly Hills Hotel, and the L.A. Coliseum. During the same time, Dr. Mellon also found time in his busy schedule to serve as an Adjunct Professor of History at the University of California, Riverside, as well as the Director of the Mission Inn Foundation. In 2000, Dr. Mellon was appointed to a second term as California's State Historic Preservation Officer, this time by Governor Gray Davis. In 2004, he retired from State service and became the executive director of the nonprofit California Missions Foundation.

Founded in 1998, the California Missions Foundation is the only organization dedicated solely to the long-term preservation and restoration of California's 21 missions. Early in Dr. Mellon's tenure as executive director, we worked together with Congressman SAM FARR and Senator DIANNE FEINSTEIN to pass the California Missions Preservation Act. At a 2005 event to celebrate this new law, Dr. Mellon eloquently discussed the historic value of California's missions, which are the most visited historic attractions in the State:

The missions are California's Pyramids. They are a part of our past. They help symbolize the nation's western beginnings. Of all the institutions that define California's heritage, none has the historic significance and emotional impact of the chain of Spanish missions that stretch from San Diego to Sonoma. The missions are an important part of the state's cultural fabric and must be preserved as priceless historic monuments.

During Dr. Mellon's tenure as executive director, the California Missions Foundation received a number of grants to preserve and restore California's missions, including four grants from the Department of Interior totaling $2.28 million. With those funds, the California Missions Foundation was able to repair some of the extensive earthquake damage at Mission San Miguel; complete a seismic retrofit at Mission San Luis Rey; and stabilize buildings and preserve artwork and artifacts at the Carmel and Santa Barbara missions.

California's residents and visitors alike benefit from Dr. Mellon's hard work, expertise, and vision each time they visit one of California's beautiful and historic missions.

I thank Dr. Mellon for his service to the State of California, and wish him and his wife Carlotta the very best as they embark on the next exciting phase of their lives.●

REMEMBERING RUTH SINGER MEYERS

● Mrs. BOXER. Mr. President, today I rise in memory of my dear friend Ruth Singer Meyers, who died in Los Angeles last month after a brief but valiant fight with cancer.

Ruth was a philanthropist, a community leader, and a champion of Israel and a strong U.S.-Israel relationship. She was also a kind, warm, and caring human being who had countless good friends and deeply loved her husband, children, and grandchildren.

Born Ruth Lazarus in Wilmington, DE, Ruth moved to California as a girl with her family. After graduating from Beverly Hills High School and UCLA, she married and had two sons, Rick and Anthony. When her boys grew up and went off to college, Ruth dedicated herself to charitable work, the Jewish community, and Israel.

Ruth's energy, dedication, and fundraising abilities were legendary in charitable circles. She served on the Board of Governors of Cedars-Sinai Hospital, the Board of Directors of the Venice Family Clinic, the International Board of Governors of Tel Aviv University, and the National Board of the United Jewish Appeal. As missions chairman for the Jewish Federation of Los Angeles, she led dozens of community trips to Israel. She also served as the Los Angeles chairman of the American Israel Public Affairs Committee and became a national officer in the organization.

On behalf of the people of California, who have benefited so much from Ruth's life and work, I send my deepest gratitude and condolences to her husband, Mickey Meyers, as well as her sons and grandchildren. I know they and many others will miss this wonderful woman, as will I. ●

TRIBUTE TO MAL MOORE

● Mr. SESSIONS. Mr. President, today I wish to pay tribute to the athletic director for the University of Alabama, Mal Moore.

Coach Moore was born in Dozier, AL in 1939. He was recruited and awarded an athletic scholarship by the legendary coach Paul ''Bear'' Bryant. He played for the Crimson Tide from 1958–1962, including on the undefeated 1961 national championship squad—ranked #1 by the Associated Press and considered by many to be one of the best ever. He graduated from the University of Alabama in 1963, and began his coaching career as an assistant at Montana State.

Having displayed leadership that clearly impressed Coach Bryant, Coach Moore was hired away from Montana State to serve as a graduate assistant at his alma mater, where he received his master's degree. From there he embarked on a highly successful 31 year coaching career, which included stints at Notre Dame, the NFL and for national championship teams under both Coach Bryant and Coach Gene Stallings at Alabama. In 1999, he was named the Crimson Tide's athletics director, a position he still holds.

Coach Mal Moore is a champion. He has been a part of nine national championships—1961, 1964, 1965, 1973, 1978, 1979, 1992, 2009 and 2011—with the first coming as a player, the next six during his coaching career and the most recent two during his time as athletics director. During his tenure as athletic director, Alabama has gone on to win seven national championships in four different sports: football in 2009 and 2011; gymnastics under Coach Sarah Patterson in 2002, 2011 and 2012; women's golf in 2012 and women's softball in 2012.

In addition to the success the university has seen on the fields, courses and arenas under Coach Mal Moore, he has transformed the University of Alabama's athletics program, improving the University for all students and student-athletes. Coach Moore has raised more than $200 million for capital improvements to make the Capstone's facilities among the best in the Nation; improving Bryant-Denny Stadium, Coleman Coliseum, John and Ann Rhoads Softball Stadium as well as the soccer and tennis stadiums. His efforts to improve student-athlete academics have led the Crimson Tide to high graduation rates and have made Alabama athletes among the most competitive academically.

Coach Moore's sizable contributions to University of Alabama athletics and academics have been noticed and recognized by the University of Alabama, the State of Alabama and nationally. In 2007, the Alabama football building was renamed the Mal M. Moore Athletic Facility. The Alabama Sports Hall of Fame named Coach Moore the Distinguished Alabama Sportsman in 2007 for his efforts as athletics director, and inducted him into the Hall of Fame in 2011. Recently, the National Football Foundation recognized Coach Moore with the John L. Toner Award, which is presented annually by the foundation to an athletic director who has demonstrated superior administrative abilities and shown outstanding dedication to college athletics and particularly college football.

Coach Mal Moore has been part of the University of Alabama and Crimson Tide football as a student-athlete, coach and administrator for more than 50 years. He has left an indelible mark at the Capstone, and his leadership will be felt by Alabama students and staff for generations to come.

It's a pleasure and honor for me to recognize a great leader, a great athletic director and a great man from the heartland of my State of Alabama. I look forward to enjoying the fruits of his labors for years to come. Roll Tide!●

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

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.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3637. A bill to temporarily extend the transaction account guarantee program, 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–8092. A communication from the Deputy Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Part 90 of the Commission's Rules; Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Service Rules for the 698–746; 747–762 and 777–792 MHz Bands; Fourth Report and Order, FCC 12–61'' (FCC 12–61) received in the Office of the President of the Senate on November 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8093. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the Amateur Service Rules Governing Qualifying Examination Systems and Other Matters, et. al.''

(FCC 12–121) received in the Office of the President of the Senate on November 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8094. A communication from the Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementing Public Safety Broadband Provisions of the Middle Class Tax Relief and Job Creation Act of 2012'' received in the Office of the President of the Senate on November 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8095. 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; Seafood Festival Fireworks Display, Marquette, MI'' ((RIN1625–AA00) (Docket No. USCG–2012–0765)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8096. 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; Tom Lyons Productions Fireworks, Long Island Sound, Sands Point, NY'' ((RIN1625–AA00) (Docket No. USCG–2012–0618)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8097. 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; Boston Harbor's Rock Removal Project, Boston Inner Harbor, Boston, MA'' ((RIN1625–AA00) (Docket No. USCG–2012–0767)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8098. 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; Swim Around Charleston, Charleston, SC'' ((RIN1625–AA00) (Docket No. USCG–2012–0137)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8099. 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; Apache Pier Labor Day Fireworks; Myrtle Beach, SC'' ((RIN1625–AA00) (Docket No. USCG–2012–0727)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8100. 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; Bostock 50th Anniversary Fireworks, Long Island Sound; Manursing Island, NY'' ((RIN1625–AA00) (Docket No. USCG–2012–0385)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8101. 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; Wedding Reception Fireworks at Pier 24, San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2012–0661)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8102. 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; Cleveland National Air Show, Cleveland, OH'' ((RIN1625–AA00) (Docket No. USCG–2012–0814)) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8103. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dinotefuran; Pesticide Tolerances'' (FRL No. 9365–1) received in the Office of the President of the Senate on November 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8104. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''1,4-Dimethylnaphthalene; Amendment to an Exemption from the Requirement of a Tolerance'' (FRL No. 9368–2) received in the Office of the President of the Senate on November 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8105. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Flonicamid; Pesticide Tolerances'' (FRL No. 9368–7) received in the Office of the President of the Senate on November 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8106. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the obligation and expenditure of funds for the implementation of Cooperative Threat Reduction (CTR) program activities (DCN OSS–2012–1698); to the Committee on Armed Services.

EC–8107. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting, pursuant to law, a report of the submission of a certification of renewal pertaining to a collection of photographs assembled by the Department of Defense that were taken in the period between September 11, 2001 and January 22, 2009; to the Committee on Armed Services.

EC–8108. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''2012–2014 Enterprise Housing Goals'' (RIN2590–AA49) received in the Office of the President of the Senate on November 15, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8109. A communication from the Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the Administration's Annual Report for fiscal year 2012; to the Committee on Energy and Natural Resources.

EC–8110. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Inservice Inspection of Prestressed Concrete Containment Structures with Grouted Tendons'' (Regulatory Guide 1.90, Revision 2) received during adjournment of the Senate in the Office of the President of the Senate on November 19, 2012; to the Committee on Environment and Public Works.

EC–8111. 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; Tennessee; Regional Haze State Implementation Plan; Best Available Retrofit Technology Requirements for Eastman Chemical Company'' (FRL No. 9752–5) received in the Office of the President of the Senate on November 14, 2012; to the Committee on Environment and Public Works.

EC–8112. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the annual report of the Fish and Wildlife Service on reasonably identifiable expenditures for the conservation of endangered and threatened species by Federal and State agencies for fiscal year 2011; to the Committee on Environment and Public Works.

EC–8113. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2013'' (RIN0938–AR16) received during adjournment of the Senate in the Office of the President of the Senate on November 19, 2012; to the Committee on Finance.

EC–8114. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Part A Premiums for CY 2013 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement'' (RIN0938–AR15) received during adjournment of the Senate in the Office of the President of the Senate on November 19, 2012; to the Committee on Finance.

EC–8115. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for CY 2013'' (RIN0938–AR14) received during adjournment of the Senate in the Office of the President of the Senate on November 19, 2012; to the Committee on Finance.

EC–8116. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; Electronic Health Record Incentive Program—Stage 2'' (RIN0938–AQ84) received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2012; to the Committee on Finance.

EC–8117. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–149); to the Committee on Foreign Relations.

EC–8118. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12–120, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–8119. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs (DCN OSS–2012–1697); to the Committee on Foreign Relations.

EC–8120. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled ''Facility License Notifications and Submissions'' (RIN3141–AA48) received during adjournment of the Senate in the Office of the President of the Senate on November 16, 2012; to the Committee on Indian Affairs.

EC–8121. A communication from the Director of Congressional Affairs, Central Intelligence Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Central Intelligence Agency, received during adjournment of the Senate in the Office of the President of the Senate on November 19, 2012; to the Select Committee on Intelligence.

EC–8122. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the Annual Report to Congress on the implementation, enforcement, and prosecution of registration requirements under Section 635 of the Adam Walsh Child Protection Act of 2006; to the Committee on the Judiciary.

EC–8123. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program'' (RIN1840–AD05) received in the Office of the President of the Senate on November 15, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8124. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Securities and Exchange Commission's fiscal year 2012 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC–8125. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2012 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–8126. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the fiscal year 2012 Agency Financial Report for the Department of the Treasury; to the Committee on Homeland Security and Governmental Affairs.

EC–8127. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, a report relative to its audit and investigative activities; to the Committee on Homeland Security and Governmental Affairs.

EC–8128. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–8129. A communication from the Director, National Gallery of Art, transmitting, pursuant to law, the Gallery's Performance and Accountability Report for the year ended September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–8130. A communication from the Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, the Department's fiscal year 2012 Annual Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC–8131. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Correction'' (RIN0648–BC06) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8132. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Lifting Trade Restrictive Measures'' (RIN0648–BC16) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8133. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule to Establish Management Measures for the Limited Harvest and Possession of South Atlantic Red Snapper in 2012'' (RIN0648–BC32) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8134. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Main Hawaiian Islands Deep 7 Bottomfish Annual Catch Limits and Accountability Measures for 2012–13'' (RIN0648–XC089) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8135. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic; Amendment 11; Correction'' (RIN0648–BB44) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8136. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts'' (RIN0648–XC176) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8137. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC211) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8138. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Bluefish Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts'' (RIN0648–XC236) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8139. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XC162) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8140. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BC36) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8141. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2012 Winter II Quota'' (RIN0648–XC163) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8142. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; 'Other Flatfish' in the Bering Sea and Aleutian Islands Management Area and Greenland Turbot in the Aleutian Island Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC082) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8143. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; Accountability Measures and Commercial Closures for Two Snapper-Grouper Species and Two Snapper-Grouper Species Complexes in the South Atlantic'' (RIN0648–XC132) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8144. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; New Free Trade Agreement-Panama'' ((RIN0750–AH79) (DFARS Case 2012–D044)) received in the Office of the President of the Senate on November 13, 2012; to the Committee on Armed Services.

EC–8145. A communication from the Acting Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Christopher D. Miller, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–8146. A communication from the Acting Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness),

transmitting a report on the approved retirement of Vice Admiral David J. Venlet, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–8147. A communication from the Acting Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral John T. Blake, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–8148. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–8149. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–8150. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Republic of Ghana (Ghana); to the Committee on Banking, Housing, and Urban Affairs.

EC–8151. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC–8152. A communication from the President of the Federal Financing Bank, transmitting, pursuant to law, the Bank's Annual Report for Fiscal Year 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8153. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Debris Removal: Eligibility of Force Account Labor Straight-Time Costs under the Public Assistance Program for Hurricane Sandy'' ((44 CFR Part 206) (Docket No. FEMA–2012–0004)) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8154. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8155. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8156. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Purchase of Certain Debt Securities by Business and Industrial Development Companies Relying on an Investment Company Act Exemption'' (RIN3235–AL02) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8157. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Consumer Lending (Regulation M)'' ((RIN3170–AD94) (Docket No. CFPB–2012–0042)) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8158. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Delayed Implementation of Certain New Mortgage Disclosures'' ((RIN3170–AA32) (Docket No. CFPB–2012–0045)) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8159. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Yemen Sanctions Regulations'' (31 CFR Part 552) received in the Office of the President of the Senate on November 13, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8160. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending (Regulation Z)'' (Docket No. CFPB–2012–0044) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8161. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending (Regulation Z)'' (Docket No. CFPB–2012–0043) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8162. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–103); to the Committee on Foreign Relations.

EC–8163. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–066); to the Committee on Foreign Relations.

EC–8164. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–113); to the Committee on Foreign Relations.

EC–8165. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–152); to the Committee on Foreign Relations.

EC–8166. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–148); to the Committee on Foreign Relations.

EC–8167. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–137); to the Committee on Foreign Relations.

EC–8168. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012–0152—2012–0167); to the Committee on Foreign Relations.

EC–8169. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Guidance on Performing a Seismic Margin Assessment in Response to the March 2012 Request for Information Letter'' (JLD–ISG–2012–04) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Environment and Public Works.

EC–8170. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Colorado: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 9753–6) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Environment and Public Works.

EC–8171. 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; Section 128 and 110(a)(2)(E)(ii) and (G) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards; Correction'' (FRL No. 9754–5) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Environment and Public Works.

EC–8172. 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; Ohio; PBR and PTIO'' (FRL No. 9753–7) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Environment and Public Works.

EC–8173. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Approval of Air Quality Implementation Plans and Findings of Failure to Submit Required Plans; California; San Joaquin Valley; 1-Hour and 8-Hour Ozone Extreme Area Plan Elements'' (FRL No. 9753–4) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Environment and Public Works.

EC–8174. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; California; San Joaquin Valley and South Coast; Attainment Plan for the 1997 8-hour Ozone Standards; Technical Amendments'' (FRL No. 9753–3) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Environment and Public Works.

EC–8175. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program'' (FRL No. 9745–1) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Environment and Public Works.

EC–8176. 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 Plans; State of New Mexico; Regional Haze Rule Requirements for Mandatory Class I Areas'' (FRL No. 9755–6) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Environment and Public Works.

EC–8177. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2013 Limitations Adjusted As Provided in Section 415(d), etc.'' (Notice 2012–67) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2012; to the Committee on Finance.

EC–8178. A communication from the Director, Directorate of Construction, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Revising the Exemption for Digger Derricks in the Cranes and Derricks in Construction Standard'' (RIN1218–AC75) received in the Office of the President of the Senate on November 26, 2012; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2178. A bill to require the Federal Government to expedite the sale of underutilized Federal real property (Rept. No. 112–241).

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 Mrs. HUTCHISON (for herself, Mr. KYL, and Mr. MCCAIN):

S. 3639. A bill to amend the Immigration and Nationality Act to provide secure borders and to give long-term resident youth the ability to contribute to the safety and economic growth of the United States and for other purposes; to the Committee on the Judiciary.

By Mr. TOOMEY:

S. 3640. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security, Transportation Security Administration, to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself and Mrs. GILLIBRAND):

S. 3641. A bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself and Mr. KOHL):

S. 3642. A bill to clarify the scope of the Economic Espionage Act of 1996; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 601. A resolution commending the people of Albania on the 100th anniversary of the declaration of their independence from the Turkish Ottoman Empire on November 28, 1912, and commending Albanians in Albania and Kosovo for protecting and saving the lives of all Jews who either lived in Albania or sought asylum there during the Holocaust; to the Committee on Foreign Relations.

By Mr. AKAKA (for himself, Mr. INHOFE, Mr. UDALL of Colorado, and Mr. CHAMBLISS):

S. Res. 602. A resolution designating 2012–2013 as the ''Year of the Korean War Veteran'' and recognizing the 60th anniversary of the Korean War; considered and agreed to.

ADDITIONAL COSPONSORS

S. 392

At the request of Mr. UDALL of New Mexico, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 392, a bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

S. 426

At the request of Mr. SANDERS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 426, a bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth.

S. 1245

At the request of Mr. BLUNT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1245, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1460

At the request of Mr. BAUCUS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 2212

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2212, a bill to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) title 28, United States Code.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Mr. KOHL) 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. 2474

At the request of Mr. AKAKA, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2474, a bill to improve the health of minority individuals, and for other purposes.

S. 2620

At the request of Mr. SCHUMER, the name of the Senator from Mississippi (Mr. WICKER) 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. 3244

At the request of Mr. FRANKEN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3244, a bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory.

S. 3430

At the request of Mrs. SHAHEEN, the name of the Senator from North Carolina (Mrs. HAGAN) 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. 3441

At the request of Mr. MCCAIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3441, a bill to provide for the transfer of excess Department of Defense aircraft to the Forest Service for wildfire suppression activities, and for other purposes.

S. 3477

At the request of Mrs. BOXER, the name of the Senator from Vermont

(Mr. LEAHY) was added as a cosponsor of S. 3477, a bill to ensure that the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, or resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security.

S. 3512

At the request of Mr. HOEVEN, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Georgia (Mr. ISAKSON) 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. 3539

At the request of Mr. KERRY, the name of the Senator from Minnesota (Mr. FRANKEN) 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. 3542

At the request of Ms. KLOBUCHAR, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 3542, a bill to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes.

S. 3551

At the request of Mr. DEMINT, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor 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. 3560

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3560, a bill to provide for scientific frameworks with respect to recalcitrant cancers.

S. 3574

At the request of Mr. BLUNT, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of 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.

S. 3617

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 3617, a bill to ensure sufficient sizing of the civilian and contract services workforces of the Department of Defense.

S. 3635

At the request of Mr. COONS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3635, a bill to provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration.

S. RES. 150

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Res. 150, a resolution calling for the protection of religious minority rights and freedoms in the Arab world.

S. RES. 518

At the request of Ms. LANDRIEU, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. Res. 518, a resolution congratulating the Southern Baptist Convention for electing Reverend Fred Luter, Jr., as the president of the Southern Baptist Convention, acknowledging Reverend Luter's unique role as the first African-American leader of the Southern Baptist Convention, and honoring the commitment of the Southern Baptist Convention to an inclusive faith-based community and society.

S. RES. 599

At the request of Mrs. GILLIBRAND, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Res. 599, a resolution expressing vigorous support and unwavering commitment to the welfare, security, and survival of the State of Israel as a Jewish and democratic state with secure borders, and recognizing and strongly supporting its right to act in self-defense to protect its citizens against acts of terrorism.

AMENDMENT NO. 2928

At the request of Mrs. MCCASKILL, the names of the Senator from Virginia (Mr. WEBB) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 2928 intended to be proposed to S. 3254, an original bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2929

At the request of Mrs. MCCASKILL, the names of the Senator from Virginia (Mr. WEBB) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 2929 intended to be proposed to S. 3254, an original bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2940

At the request of Mr. BLUMENTHAL, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Maine (Ms. SNOWE) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 2940 intended to be proposed to S. 3254, an original bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 601—COMMENDING THE PEOPLE OF ALBANIA ON THE 100TH ANNIVERSARY OF THE DECLARATION OF THEIR INDEPENDENCE FROM THE TURKISH OTTOMAN EMPIRE ON NOVEMBER 28, 1912, AND COMMENDING ALBANIANS IN ALBANIA AND KOSOVO FOR PROTECTING AND SAVING THE LIVES OF ALL JEWS WHO EITHER LIVED IN ALBANIA OR SOUGHT ASYLUM THERE DURING THE HOLOCAUST

Mr. SCHUMER submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 601

Whereas, in 1934, the United States Ambassador to Albania Herman Bernstein wrote that "there is no trace of any discrimination against Jews in Albania, because Albania happens to be one of the rare lands in Europe today where religious prejudice and hate do not exist, even though Albanians themselves are divided into three faiths";

Whereas, in 1938, approximately 300 Albanian Jews lived in the Republic of Albania, and more than 1,900 escaped to Albania from Nazi-occupied Western Europe and the former Yugoslavia during World War II;

Whereas Albanians in Albania and Kosova, based on their unique history of religious tolerance, considered it a matter of national pride and tradition to help Jews during the Holocaust, and due to the actions of many individual Albanians, the entire native and refugee Jewish community in Albania during World War II survived the Holocaust;

Whereas Albanians sheltered and protected Jews in Albania and in Kosova, even at the risk of Albanian lives, beginning with the invasion and occupation of Albania by Italian fascists led by Benito Mussolini in 1939;

Whereas, after Nazi Germany occupied Albania in 1943 and the Gestapo ordered Jewish refugees in the Albanian capital of Tirana to register, Albanian leaders refused to provide a list of Jews living in Albania, and Albanian clerks issued false identity papers to protect all Jews in the country;

Whereas, in June 1990, Jewish-American Congressman Tom Lantos and former Albanian-American Congressman Joe DioGuardi were the first United States officials to enter Albania in 50 years and received from the Communist Party leader and Albanian President Ramiz Alia a thick file from the archives containing hundreds of news clippings and personal letters sent by Jews to their Albanian rescuers after World War II, but that the Communist government prevented from being delivered for 45 years;

Whereas Congressman Joe DioGuardi, upon returning to the United States in June 1990,

sent the file for authentication to Elli Streit in Tel Aviv for delivery to appropriate officials at Yad Vashem, the Holocaust Martyrs' and Heroes' Remembrance Authority, in Jerusalem;

Whereas Josef Jakoel and his eldest daughter, Felicita, both Albanian Jews, led the emigration of almost all Albanian Jews to Israel in 1991 as the Communist regime was collapsing;

Whereas Yad Vashem has designated 69 Albanians as ''Righteous Persons'' and Albania as one of the ''Righteous among the Nations'';

Whereas, based on the information authenticated by Yad Vashem, Jewish-American author and philanthropist Harvey Sarner published ''Rescue in Albania'' in 1997 to call international attention to the unique role of the Albanian people in saving Jews from the Holocaust;

Whereas, in October 1997, the Albanian American Civic League and the Albanian American Foundation began the distribution of 10,000 copies of ''Rescue in Albania'', with forewords by Congressmen Tom Lantos and Benjamin Gilman, to bring to the attention of the Jewish people and their leaders the plight of Albanians in Kosova living under a brutal occupation at the hands of Serbian dictator Slobodan Milosevic, in order to forestall another genocide in Kosova;

Whereas, in a statement at the ''Salute to Albanian Tolerance, Resistance, and Hope: Remembering Besa and the Holocaust'' held by the Albanian American Civic League and the Albanian American Foundation in 2005 on the occasion of the 60th anniversary of the liberation of the Nazi death camps, Dr. Mordechai Paldiel, then Director for the Righteous at Yad Vashem, commemorated the heroism of Albanians as ''the only ones among rescuers in other countries who not only went out of their way to save Jews, but vied and competed with each other for the privilege of being a rescuer, thanks to besa'', the code of honor that requires an Albanian to save the life of anyone seeking refuge, even if it means sacrificing one's own life;

Whereas, in 2006, Shirley Cloyes DioGuardi, Balkan Affairs Adviser to the Albanian American Civic League and Executive Director of the Albanian American Foundation, published ''Jewish Survival in Albania & the Ethics of 'Besa' '' in the journal of the American Jewish Congress to document the saving role of Albanians and how that role was revealed, in spite of the Communist effort to suppress it;

Whereas, on December 2, 2008, Arslan Rezniqi and his son, Mustafa, were the first Kosovar Albanians recognized by Yad Vashem's ''Righteous among Nations Department'', for leading 400 Jewish families from Decan, Kosova, into safety in Albania;

Whereas Arif Alickaj, the Secretary of the Municipality of Decan, risked his job and his life helping the Rezniqis rescue Jews in Nazi-occupied Kosova by issuing false identity papers to ensure their safe passage to Albania and who, like so many Albanians from Kosova and Albania, died before Jewish survivors could validate his role at Yad Vashem;

Whereas Shirley Cloyes DioGuardi addressed the 2010 International Oral History Association Conference in Prague, and brought Leka Rezniqi, the grandson of Mustafa Rezniqi, to join her in revealing the ''underground railroad'' between Albanians in Kosova and Albania that was essential to the rescue of Jews; and

Whereas Albania is the only nation in Europe that had more Jewish residents after World War II than before World War II: Now, therefore, be it

Resolved, That the Senate—

(1) commends the people of Albania and Kosova for protecting and saving the lives of Jews who either lived in Albania or sought asylum there during the Holocaust;

(2) commends Yad Vashem, the Holocaust Martyrs' and Heroes' Remembrance Authority, in Israel for recognizing Albanians, who took action at great risk to themselves to protect Jews during the Holocaust, for their humanity, courage, and heroism;

(3) reaffirms, on the 100th anniversary of Albania's declaration of independence in 1912, its support for close ties between the United States and Albania and between the United States and Kosova, which declared its independence in 2008; and

(4) commends the officers, boards of directors, and members of the Albanian American Civic League and the Albanian American Foundation for their unstinting work, since 1989, to bring the plight of the Albanian people and the unique historic connection between Albanians and Jews to international attention.

SENATE RESOLUTION 602—DESIGNATING 2012–2013 AS THE ''YEAR OF THE KOREAN WAR VETERAN'' AND RECOGNIZING THE 60TH ANNIVERSARY OF THE KOREAN WAR

Mr. AKAKA (for himself, Mr. INHOFE, Mr. UDALL of Colorado, and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 602

Whereas, on June 25, 1950, the Communist Democratic People's Republic of Korea began the Korean War by invading the Republic of Korea with approximately 135,000 troops;

Whereas nearly 1,800,000 members of the United States Armed Forces served along with the forces of the Republic of Korea and 20 other Allied nations in the Korean theater of operations to defend freedom and democracy in the Korean Peninsula;

Whereas, during the Korean War, 36,574 people from the United States died and 103,284 people from the United States were wounded in some of the most horrific combat and weather conditions in the history of warfare;

Whereas almost 60 years have passed since the signing of the cease-fire agreement at Panmunjom on July 27, 1953, and the Korean Peninsula still technically remains in a state of war;

Whereas the Korean War has for many years been a ''Forgotten War'' for people in the United States;

Whereas Korean War veterans deserve to be recognized by the people of the United States for their honorable and courageous service in defense of democracy and freedom during the Korean War;

Whereas the tide of communism on the southern ½ of the Korean Peninsula was halted, liberty triumphed over tyranny, and the Republic of Korea has developed into a modern and prosperous democracy because of the selfless sacrifice of the Korean War veterans;

Whereas the people of the United States and the Republic of Korea are eternally grateful to the Korean War veterans;

Whereas the history of the Korean War should be included in the curriculum of schools in the United States so that future generations never forget the sacrifices of the Korean War veterans and what those veterans accomplished;

Whereas the Department of Defense 60th Anniversary of the Korean War Commemoration Committee will implement a national campaign to honor the Korean War veterans, remember those Korean War veterans still counted among the missing in action, and educate the people of the United States concerning the ongoing relevance of the Korean War; and

Whereas the commemorative campaign will include ceremonies in the United States and the Republic of Korea in recognition of the beginning (June 25, 1950) and the armistice ending hostilities (July 27, 1953), as well as a national media and outreach campaign for Veterans Day 2012 to honor the Korean War veterans: Now, therefore, be it

Resolved, That the Senate—

(1) designates 2012–2013 as the ''Year of the Korean War Veteran'';

(2) recognizes the 60th anniversary of the Korean War; and

(3) honors the contributions and sacrifices made by the Korean War veterans.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2946. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2947. Mr. PRYOR (for himself, Mr. WYDEN, Mr. BOOZMAN, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2948. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2949. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2950. Mr. BEGICH (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2951. Mr. BEGICH (for himself, Mr. MANCHIN, Mr. WYDEN, Mrs. HUTCHISON, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2952. Mr. BEGICH (for himself, Mr. CASEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2953. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2954. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2955. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2956. Mr. PORTMAN (for himself and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2957. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2958. Mr. WEBB submitted an amendment intended to be proposed by him to the

bill S. 3254, supra; which was ordered to lie on the table.

SA 2959. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2960. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2961. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2962. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2963. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2964. Mr. CHAMBLISS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2965. Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2966. Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2967. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2968. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2969. Mr. HELLER (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2970. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2971. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2972. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2973. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2974. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2975. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2976. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2977. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2978. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2979. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2980. Mrs. BOXER (for herself, Mr. GRASSLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2981. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2982. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2983. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2984. Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2985. Mr. UDALL of Colorado (for himself, Mrs. MURRAY, Mrs. SHAHEEN, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2986. Mr. CASEY (for himself, Mr. ENZI, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2987. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2988. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2989. Mrs. MURRAY (for herself and Mr. BURR) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2990. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2991. Mr. HOEVEN (for himself, Mr. TESTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2992. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2993. Mrs. GILLIBRAND (for herself, Mr. LIEBERMAN, Mr. BLUMENTHAL, Mr. KERRY, Mr. BROWN of Massachusetts, Mr. BEGICH, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2994. Mr. CASEY (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2995. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2996. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2997. Mr. CASEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2998. Ms. AYOTTE (for herself, Mr. INHOFE, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2999. Ms. AYOTTE (for herself, Mr. LIEBERMAN, Mr. INHOFE, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3000. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3001. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3002. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3003. Ms. AYOTTE (for herself, Mr. LIEBERMAN, and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3004. Ms. AYOTTE (for herself, Mr. CHAMBLISS, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3005. Ms. AYOTTE (for herself, Mr. CHAMBLISS, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3006. Ms. SNOWE (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3007. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3008. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3009. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3010. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3011. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3012. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3013. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3014. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3015. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3016. Mrs. GILLIBRAND (for herself, Ms. COLLINS, and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3017. Mr. REED (for himself, Mr. RUBIO, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 3018. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. COONS, Ms. COLLINS, Mr. PAUL, Mr. LAUTENBERG, Mrs. GILLIBRAND, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 3254, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2946. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle of subtitle H of title X, add the following:

SEC. 1084. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

''(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State—

''(i) to demonstrate that when the State approves or denies a certification or license described in subparagraph (B) for a veteran the State takes into consideration any training received or experience gained by the veteran while serving on active duty in the Armed Forces; and

''(ii) to disclose to the Secretary in writing the following:

''(I) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

''(II) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

''(III) Identification of areas in which training and experience described in subclause (II) fails to meet criteria described in subclause (I).''

''(B) A certification or license described in this subparagraph is any of the following:

''(i) A license to be a State tested nursing assistant or a certified nursing assistant.

''(ii) A commercial driver's license.

''(iii) An emergency medical technician license EMT–B or EMT–I.

''(iv) An emergency medical technician–paramedic license.

''(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a program year beginning on or after the date of the enactment of this Act.

SA 2947. Mr. PRYOR (for himself, Mr. WYDEN, Mr. BOOZMAN, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle of subtitle H of title X, add the following:

SEC. 1084. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES AS VETERANS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

''§ 107A. Honoring as veterans certain persons who performed service in the reserve components

''Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

''107A. Honoring as veterans certain persons who performed service in the reserve components.''.

SA 2948. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 602. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SA 2949. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 526. EXTENSION OF TEMPORARY INCREASE IN ACCUMULATED LEAVE CARRY-OVER FOR MEMBERS OF THE ARMED FORCES.

Section 701(d) of title 10, United States Code, is amended by striking ''September 30, 2013'' and inserting ''September 30, 2015''.

SA 2950. Mr. BEGICH (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2844. GOLD STAR MOTHERS NATIONAL MONUMENT, ARLINGTON NATIONAL CEMETERY.

(a) ESTABLISHMENT.—Notwithstanding section 2409(b) of title 38, United States Code, the Secretary of the Army shall permit the Gold Star Mothers National Monument Foundation (a nonprofit corporation established under the laws of the District of Columbia) to establish an appropriate monument in Arlington National Cemetery or on Federal land in its environs under the jurisdiction of the Department of the Army to commemorate the sacrifices made by mothers, and made by their sons and daughters who as members of the Armed Forces make the ultimate sacrifice, in defense of the United States. The monument shall be known as the ''Gold Star Mothers National Monument''.

(b) PAYMENT OF EXPENSES.—The Gold Star Mothers National Monument Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the monument, and no Federal funds may be used to pay such expenses.

SA 2951. Mr. BEGICH (for himself, Mr. MANCHIN, Mr. WYDEN, Mrs. HUTCHISON, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1048. PROHIBITION ON DIVESTMENT, RETIREMENT, OR TRANSFER OF ARMY C–23 AIRCRAFT DURING FISCAL YEAR 2013.

(a) PROHIBITION.—

(1) IN GENERAL.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Army may be obligated or expended to divest, retire, transfer, or prepare to divest, retire, or transfer, any of the 38 C–23 aircraft assigned to the Army as of October 1, 2012.

(2) SUSTAINMENT IN OPERATIONALLY VIABLE STATE.—The Army shall sustain the C–23 aircraft described in paragraph (1) in an operationally viable state during fiscal year 2013.

(b) FUNDS AVAILABLE FOR SUSTAINMENT AND OPERATION OF AIRCRAFT.—Of the amounts authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for the Army as specified in the funding table in section 4301, $9,200,000 may be available for the sustainment and operation of the C–23 aircraft specified in subsection (a) during fiscal year 2013.

SA 2952. Mr. BEGICH (for himself, Mr. CASEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year

2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 542, beginning on line 12, strike ''section 2687'' and all that follows through page 543, line 2, and insert the following: ''section 2687 and section 993 of title 10, United States Code, and closures of military installations that are not covered by such requirements.

(b) ONE-YEAR MORATORIUM ON CERTAIN ACTIONS RESULTING IN PERSONNEL REDUCTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no action may be taken before October 1, 2013, that would result in a military installation covered under paragraph (1) of section 2687(a) or section 993 of title 10, United States Code, to no longer be covered by such paragraph (1) or such section 993.

(2) NATIONAL SECURITY WAIVER.—The Secretary of Defense may waive the prohibition under paragraph (1) if the Secretary certifies to the congressional defense committees that is in the national security interests of the United States.

(c) MODIFICATION OF NOTICE REQUIREMENTS IN ADVANCE OF PERMANENT REDUCTION OF SIZABLE NUMBERS OF MEMBERS OF THE ARMED FORCES AT MILITARY INSTALLATIONS.—

(1) CALCULATION OF NUMBER OF AFFECTED MEMBERS.—Subsection (a) of section 993 of title 10, United States Code, is amended by adding at the end the following new sentence: ''In calculating the number of members to be reduced, the Secretary shall take into consideration both direct reductions and indirect reductions.''.

(2) NOTICE REQUIREMENTS.—Subsection (b) of such section is amended by striking paragraphs (1) through (3) and inserting the following new paragraphs:

''(1) the Secretary of Defense or the Secretary of the military department concerned—

''(A) submits to Congress a notice of the proposed reduction and the number of military and civilian personnel assignments affected, including reductions in base operations support services and personnel to occur because of the proposed reduction; and

''(B) includes in the notice a justification for the reduction and an evaluation of the costs and benefits of the reduction and of the local economic, environmental, strategic, and operational consequences of the reduction; and

''(2) a period of 90 days expires following the day on which the notice is submitted to Congress.''.

(3) TIME AND FORM OF SUBMISSION OF NOTICE.—Such section is further amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

''(c) TIME AND FORM OF SUBMISSION OF NOTICE.—The notice required by subsections (a) and (b) may be submitted to Congress only as part of the budget justification materials submitted by the Secretary of Defense to Congress in support of the budget for a fiscal year submitted under section 1105 of title 31.''.

(4) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

''(e) DEFINITIONS.—In this section:

''(1) The term 'direct reduction' means a reduction involving one or more members of a unit.

''(2) The term 'indirect reduction' means subsequent planned reductions or relocations in base operations support services and personnel able to occur due to the direct reductions.

''(3) The term 'military installation' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

''(4) The term 'unit' means a unit of the armed forces at the battalion, squadron, or an equivalent level (or a higher level).''.

SA 2953. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. TREATMENT OF DEPARTMENT OF DEFENSE UTILITIES PRIVATIZATION PROJECTS.

(a) IN GENERAL.—In the case of a contract awarded under section 2688 of title 10, United States Code, all conveyances, connections, or capital improvements made pursuant to such contract shall be considered as contributions to the capital of the taxpayer for purposes of section 118 of the Internal Revenue Code of 1986.

(b) EFFECTIVE DATE.—Subsection (a) shall apply to amounts received after the date of the enactment of this Act, in taxable years ending after such date.

SA 2954. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 187, between lines 15 and 16, insert the following:

''(4) The unremarried spouses of members of the armed forces who were killed on active duty or otherwise died in the line of duty, and the unremarried spouses of former members of the armed forces who died of a combat-related illness or injury, who hold a valid Uniformed Services Identification and Privilege Card.

SA 2955. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Dale Long Public Safety Officers' Benefits Improvements Act of 2012''.

(b) BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS; MISCELLANEOUS AMENDMENTS.—

(1) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(A) in section 901(a) (42 U.S.C. 3791(a))—

(i) in paragraph (26), by striking ''and'' at the end;

(ii) in paragraph (27), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(28) the term 'hearing examiner' includes any medical or claims examiner.'';

(B) in section 1201 (42 U.S.C. 3796)—

(i) in subsection (a), by striking ''follows:'' and all that follows and inserting the following: ''follows (if the payee indicated is living on the date on which the determination is made)—

''(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

''(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;

''(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

''(4) if there is no surviving spouse of the public safety officer and no surviving child—

''(A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or

''(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

''(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or

''(6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal shares) who would qualify under the definition of the term 'child' under section 1204 but for age.'';

(ii) in subsection (b)—

(I) by striking ''direct result of a catastrophic'' and inserting ''direct and proximate result of a personal'';

(II) by striking ''pay,'' and all that follows through ''the same'' and inserting ''pay the same'';

(III) by striking ''in any year'' and inserting ''to the public safety officer (if living on the date on which the determination is made)'';

(IV) by striking ''in such year, adjusted'' and inserting ''with respect to the date on which the catastrophic injury occurred, as adjusted'';

(aa) by striking '', to such officer'';

(V) by striking ''the total'' and all that follows through ''For'' and inserting ''for''; and

(VI) by striking ''That these'' and all that follows through the period, and inserting ''That the amount payable under this subsection shall be the amount payable as of the date of catastrophic injury of such public safety officer.'';

(iii) in subsection (f)—

(I) in paragraph (1), by striking '', as amended (D.C. Code, sec. 4–622); or'' and inserting a semicolon;

(II) in paragraph (2)—

(aa) by striking ''. Such beneficiaries shall only receive benefits under such section 8191 that'' and inserting '', such that beneficiaries shall receive only such benefits under such section 8191 as''; and

(bb) by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(3) payments under the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107–42).'';

(iv) by amending subsection (k) to read as follows:

''(k) As determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

''(1) the public safety officer, while on duty—

''(A) engages in a situation involving nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

''(B) participates in a training exercise involving nonroutine stressful or strenuous physical activity;

''(2) the heart attack, stroke, or vascular rupture commences—

''(A) while the officer is engaged or participating as described in paragraph (1);

''(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

''(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); and

''(3) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer,

unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation or was directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors.''; and

(v) by adding at the end the following:

''(n) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or executed life insurance policy for purposes of subsection (a)(4) shall maintain the confidentiality of the designation or policy in the same manner as the agency, organization, or unit maintains personnel or other similar records of the public safety officer.'';

(C) in section 1202 (42 U.S.C. 3796a)—

(i) by striking ''death'', each place it appears except the second place it appears, and inserting ''fatal''; and

(ii) in paragraph (1), by striking ''or catastrophic injury'' the second place it appears and inserting '', disability, or injury'';

(D) in section 1203 (42 U.S.C. 3796a–1)—

(i) in the section heading, by striking ''WHO HAVE DIED IN THE LINE OF DUTY'' and inserting ''WHO HAVE SUSTAINED FATAL OR CATASTROPHIC INJURY IN THE LINE OF DUTY''; and

(ii) by striking ''who have died in the line of duty'' and inserting ''who have sustained fatal or catastrophic injury in the line of duty'';

(E) in section 1204 (42 U.S.C. 3796b)—

(i) in paragraph (1), by striking ''consequences of an injury that'' and inserting ''an injury, the direct and proximate consequences of which'';

(ii) in paragraph (3)—

(I) in the matter preceding clause (i)—

(aa) by inserting ''or permanently and totally disabled'' after ''deceased''; and

(bb) by striking ''death'' and inserting ''fatal or catastrophic injury''; and

(II) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively;

(iii) in paragraph (5)—

(I) by striking ''post-mortem'' each place it appears and inserting ''post-injury'';

(II) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(III) in subparagraph (B), as so redesignated, by striking ''death'' and inserting ''fatal or catastrophic injury'';

(iv) in paragraph (7), by striking ''public employee member of a rescue squad or ambulance crew;'' and inserting ''employee or volunteer member of a rescue squad or ambulance crew (including a ground or air ambulance service) that—

''(A) is a public agency; or

''(B) is (or is a part of) a nonprofit entity serving the public that—

''(i) is officially authorized or licensed to engage in rescue activity or to provide emergency medical services; and

''(ii) engages in rescue activities or provides emergency medical services as part of an official emergency response system;''; and

(v) in paragraph (9)—

(I) in subparagraph (A), by striking ''as a chaplain, or as a member of a rescue squad or ambulance crew;'' and inserting ''or as a chaplain;'';

(II) in subparagraph (B)(ii), by striking ''or'' after the semicolon;

(III) in subparagraph (C)(ii), by striking the period and inserting ''; or''; and

(IV) by adding at the end the following:

''(D) a member of a rescue squad or ambulance crew who, as authorized or licensed by law and by the applicable agency or entity, is engaging in rescue activity or in the provision of emergency medical services.'';

(F) in section 1205 (42 U.S.C. 3796c), by adding at the end the following:

''(d) Unless expressly provided otherwise, any reference in this part to any provision of law not in this part shall be understood to constitute a general reference under the doctrine of incorporation by reference, and thus to include any subsequent amendments to the provision.'';

(G) in each of subsections (a) and (b) of section 1212 (42 U.S.C. 3796d–1), sections 1213 and 1214 (42 U.S.C. 3796d–2 and 3796d–3), and subsections (b) and (c) of section 1216 (42 U.S.C. 3796d–5), by striking ''dependent'' each place it appears and inserting ''person'';

(H) in section 1212 (42 U.S.C. 3796d–1)—

(i) in subsection (a)—

(I) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Subject'' and all that follows through '', the'' and inserting ''The''; and

(II) in paragraph (3), by striking ''reduced by'' and all that follows through ''(B) the amount'' and inserting ''reduced by the amount'';

(ii) in subsection (c)—

(I) in the subsection heading, by striking ''DEPENDENT''; and

(II) by striking ''dependent'';

(I) in paragraphs (2) and (3) of section 1213(b) (42 U.S.C. 3796d–2(b)), by striking ''dependent's'' each place it appears and inserting ''person's'';

(J) in section 1216 (42 U.S.C. 3796d–5)—

(i) in subsection (a), by striking ''each dependent'' each place it appears and inserting ''a spouse or child''; and

(ii) by striking ''dependents'' each place it appears and inserting ''a person''; and

(K) in section 1217(3)(A) (42 U.S.C. 3796d–6(3)(A)), by striking ''described in'' and all that follows and inserting ''an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and''.

(2) AMENDMENT RELATED TO EXPEDITED PAYMENT FOR PUBLIC SAFETY OFFICERS INVOLVED IN THE PREVENTION, INVESTIGATION, RESCUE, OR RECOVERY EFFORTS RELATED TO A TERRORIST ATTACK.—Section 611(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1(a)) is amended by inserting ''or an entity described in section 1204(7)(B) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(7)(B))'' after ''employed by such agency''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 402(l)(4)(C) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''section 1204(9)(A)'' and inserting ''section 1204(10)(A)''; and

(B) by striking ''42 U.S.C. 3796b(9)(A)'' and inserting ''42 U.S.C. 3796b(10)(A)''.

(c) AUTHORIZATION OF APPROPRIATIONS; DETERMINATIONS; APPEALS.—The matter under the heading ''PUBLIC SAFETY OFFICERS BENEFITS'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1912; 42 U.S.C. 3796c–2) is amended—

(1) by striking ''decisions'' and inserting ''determinations'';

(2) by striking ''(including those, and any related matters, pending)''; and

(3) by striking the period at the end and inserting the following: '': *Provided further*, That, on and after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012, as to each such statute—

''(1) the provisions of section 1001(a)(4) of such title I (42 U.S.C. 3793(a)(4)) shall apply;

''(2) payment (other than payment made pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1)) shall be made only upon a determination by the Bureau that the facts legally warrant the payment;

''(3) any reference to section 1202 of such title I shall be deemed to be a reference to paragraphs (2) and (3) of such section 1202; and

''(4) a certification submitted under any such statute (other than a certification submitted pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1)) may be accepted by the Bureau as prima facie evidence of the facts asserted in the certification:

Provided further, That, on and after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012, no appeal shall bring any final determination of the Bureau before any court for review unless notice of appeal is filed (within the time specified herein and in the manner prescribed for appeal to United States courts of appeals from United States district courts) not later than 90 days after the date on which the Bureau serves notice of the final determination: *Provided further*, That any regulations promulgated by the Bureau under such part (or any such statute) before, on, or after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012 shall apply to any matter

pending on, or filed or accruing after, the effective date specified in the regulations.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (1), the amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any matter pending, before the Bureau of Justice Assistance or otherwise, on the date of enactment of this Act, or filed or accruing after that date.

(2) EXCEPTIONS.—

(A) RESCUE SQUADS AND AMBULANCE CREWS.—For a member of a rescue squad or ambulance crew (as defined in section 1204(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this section), the amendments made by this Act shall apply to injuries sustained on or after June 1, 2009.

(B) HEART ATTACKS, STROKES, AND VASCULAR RUPTURES.—Section 1201(k) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this section, shall apply to heart attacks, strokes, and vascular ruptures sustained on or after December 15, 2003.

SA 2956. Mr. PORTMAN (for himself and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 561. REPORT ON DEPARTMENT OF DEFENSE EFFORTS TO STANDARDIZE EDUCATIONAL TRANSCRIPTS ISSUED TO SEPARATING MEMBERS OF THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the efforts of the Department of Defense to standardize the educational transcripts issued to members of the Armed Forces on their separation from the Armed Forces.

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

(1) A description of the similarities and differences between the educational transcripts issued to members separating from the various Armed Forces.

(2) A description of any assessments done by the Department, or in conjunction with educational institutions, to identify shortcomings in the transcripts issued to separating members in connection with their ability to qualify for civilian educational credits.

(3) A description of the implementation plan for the Joint Services Transcript, including a schedule and the elements of existing educational transcripts to be incorporated into the Transcript.

SA 2957. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 561. ADDITIONAL REQUIREMENTS FOR APPROVAL OF EDUCATIONAL PROGRAMS FOR PURPOSES OF EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE AND SECRETARY OF VETERANS AFFAIRS.

(a) AUTOMATIC APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—Clause (i) of section 3672(b)(2)(A) of title 38, United States Code, is amended to read as follows:

''(i) A course that is described by section 3675(a) of this title.''.

(b) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Section 3675 of such title is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(B) by striking subsection (a); and

(C) by inserting before subsection (c), as redesignated by subparagraph (A), the following new subsections:

''(a) The Secretary or a State approving agency may only approve a course that leads to an associate or higher degree when such course is an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) offered by an institution of higher education (as defined in section 102 of such Act (20 U.S.C. 1002)) that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094).

''(b)(1) The Secretary or a State approving agency may approve a course that does not lead to an associate or higher degree when—

''(A) such course—

''(i) is an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) offered by an institution of higher education (as defined in section 102 of such Act (20 U.S.C. 1002)) that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094);

''(ii) in the case of a course designed to prepare individuals for licensure or certification, meets the instructional curriculum licensure or certification requirements of the State in which the institution is located; and

''(iii) in the case of a course designed to prepare an individual for employment by a State board or agency in an occupation that requires approval or licensure for such employment, is approved or licensed by such State board or agency;

''(B) such course is accepted by the State department of education for credit for a teacher's certificate; or

''(C) such course is approved by the State as meeting the requirement of regulations prescribed by the Secretary of Health and Human Services under sections 1819(f)(2)(A)(i) and 1919(f)(2)(A)(i) of the Social Security Act (42 U.S.C. 1395i–3(f)(2)(A)(i) and 1396r(f)(2)(A)(i)).

''(2)(A) An educational institution shall submit an application for approval of courses to the appropriate State approving agency. In making application for approval, the institution (other than an elementary school or secondary school) shall transmit to the State approving agency copies of its catalog or bulletin which must be certified as true and correct in content and policy by an authorized representative of the institution.

''(B) Each catalog or bulletin transmitted by an institution under subparagraph (A) of this paragraph shall—

''(i) state with specificity the requirements of the institution with respect to graduation;

''(ii) include the information required under paragraphs (6) and (7) of section 3676(b) of this title; and

''(iii) include any attendance standards of the institution, if the institution has and enforces such standards.''.

(2) CONFORMING AMENDMENTS.—Such title is amended—

(A) in section 3452(g), by striking ''under the provisions of section 3675 of this title'';

(B) in section 3501(11), by striking ''under the provisions of section 3675 of this title'';

(C) in section 3672(b)(2)(A), by striking ''3675(b)(1) and (b)(2)'' and inserting ''3675(c)(1) and (c)(2)''; and

(D) in the heading for section 3675, by striking ''**accredited courses**'' and inserting ''**courses approved by Secretary of Education**''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3675 and inserting the following new item:

''3675. Approval of courses approved by Secretary of Education.''.

(c) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS NOT APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Subsection (a) of section 3676 of such title is amended to read as follows:

''(a) No course of education which has not been approved by the Secretary or a State approving agency under section 3675 of this title shall be approved for the purposes of this chapter unless—

''(1) the course—

''(A) does not lead to an associate or higher degree;

''(B) was not an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) at any time during the most recent two-year period; and

''(C) is a course that the Secretary or State approving agency determines, in accordance with this section and such regulations as the Secretary shall prescribe and on a case-by-case basis, that approval of which would further the purposes of this chapter or any of chapters 30 through 35 of this title; and

''(2) the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.''.

(2) ADDITIONAL REQUIREMENTS.—Subsection (c) of section 3676 of such title is amended—

(A) by redesignating paragraph (14) as paragraph (21); and

(B) by inserting after paragraph (13) the following new paragraphs:

''(14) Such courses providing less than 600 clock hours of instruction, or its equivalent, have verified completion and placement rates of at least 70 percent.

''(15) Courses that prepare individuals for licensure or certification have verified that the course's instructional curriculum appropriately includes the licensure or certification requirements in the State in which the institution deems such curriculum does.

''(16) Courses for which a State board or agency in the State in which the course is designed to prepare a student requires approval or licensure for employment in the recognized occupation in the State is approved or licensed by such State board or agency.

''(17) In the case of an educational institution that advertises job placement rates as a means of attracting students to enroll in a course of education offered by the educational institution, the application contains any other information necessary to

substantiate the truthfulness of such advertisements.

''(18) The educational institution does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance, except for the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.

''(19) The educational institution does not make any misrepresentations (as defined in section 668.71 of title 34, Code of Federal Regulations (or any corresponding similar regulation or ruling)) regarding the nature of its educational program, the nature of its financial charges, or the employability of its graduates (as defined in sections 668.72 through 668.74 of such title, respectively (or any corresponding similar regulations or rulings)).

''(20) The educational institution has provided information necessary to substantiate that it complies with the requirements set forth under section 600.9 of title 34 Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

(3) REQUIREMENT THAT ADDITIONAL REQUIREMENTS IMPOSED BY STATE APPROVING AGENCIES BE APPROVED BY SECRETARY OF VETERANS AFFAIRS.—Paragraph (21) of such subsection, as redesignated by paragraph (2)(A), is amended by inserting ''and approved by the Secretary'' before the period at the end.

(4) CONFORMING AMENDMENTS.—Section 3676 of such title is amended—

(A) in the heading for such section, by striking ''**nonaccredited courses**'' and inserting ''**courses not approved by Secretary of Education**''; and

(B) in subsection (c), in the matter before paragraph (1), by striking ''non-accredited''.

(5) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3675 and inserting the following new item:

''3676. Approval of courses not approved by Secretary of Education.''.

(d) ASSISTANCE UNDER CERTAIN DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE PROGRAMS AVAILABLE FOR USE ONLY AT FDSL PARTICIPATING INSTITUTIONS.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2006 the following new section:

''§ 2006a. Assistance for education and training: availability of certain assistance for use only at Federal Direct Student Loan participating institutions

''(a) IN GENERAL.—Effective as of August, 1, 2013, an individual eligible for assistance under a Department of Defense educational assistance program or authority covered by this section may, except as provided in subsection (b), only use such assistance for educational expenses incurred for an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) that—

''(1) is offered by an institution of higher education that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094);

''(2) in the case of a program designed to prepare individuals for licensure or certification, meets the instructional curriculum licensure or certification requirements of the State in which the institution is located; and

''(3) in the case of a program designed to prepare individuals for employment by a State board or agency in an occupation that requires approval or licensure for such employment, is approved or licensed by such State board or agency.

''(b) WAIVER.—The Secretary of Defense may, by regulation, authorize the use of educational assistance under a Department of Defense educational assistance program or authority covered by this chapter for educational expenses incurred for a program of education that is not described in subsection (a) if the program—

''(1) is accredited and approved by a nationally recognized accrediting agency or association;

''(2) was not an eligible program described in subsection (a) at any time during the most recent two-year period;

''(3) is a program that the Secretary determines would further the purposes of the educational assistance programs or authorities covered by this chapter, or would further the education interests of students eligible for assistance under the such programs or authorities;

''(4) in the case of a program consisting of less than 600 clock hours of instruction, or its equivalent, has verified completion and placement rates of at least 70 percent;

''(5) in the case of a program that prepares individuals for licensure or certification, has instructional curriculum that appropriately includes the licensure or certification requirements in the State in which the institution deems such curriculum does;

''(6) in the case of a program designed to prepare a student for employment in a recognized occupation requiring approval or licensure for employment by a State board or agency, the program is approved or licensed by such State board or agency; and

''(7) the institution providing the program does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance, except for the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.

''(c) DEFINITIONS.—In this section:

''(1) The term 'Department of Defense educational assistance programs and authorities covered by this section' means the programs and authorities as follows:

''(A) The programs to assist military spouses in achieving education and training to expand employment and portable career opportunities under section 1784a of this title.

''(B) The authority to pay tuition for off-duty training or education of members of the armed forces under section 2007 of this title.

''(C) The program of educational assistance for members of the Selected Reserve under chapter 1606 of this title.

''(D) The program of educational assistance for reserve component members supporting contingency operations and certain other operations under chapter 1607 of this title.

''(E) Any other program or authority of the Department of Defense for assistance in education or training carried out under the laws administered by the Secretary of Defense that is designated by the Secretary, by regulation, for purposes of this section.

''(2) The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act for 1965 (20 U.S.C. 1002).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2006 the following new item:

''2006a. Assistance for education and training: availability of certain assistance for use only at Federal Direct Student Loan participating institutions.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2013.

SEC. 562. MANDATORY COMPLIANCE REVIEWS.

(a) IN GENERAL.—Section 3693 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c) In addition to the annual compliance surveys conducted under subsection (a), the Secretary shall also conduct a compliance review, in accordance with such regulations as the Secretary shall prescribe, of an educational institution described in such subsection whenever the Secretary finds any of the following:

''(1) The number of student enrollments at, or the rate of student enrollments of, the educational institution has increased rapidly.

''(2) The student dropout rate of the institution has increased rapidly.

''(3) The cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the educational institution has increased rapidly or is consistently higher than the average of cohort default rate of comparable educational institutions.

''(4) The number of substantiated complaints filed under section 3697C(a)(1) of this title with respect to the educational institution have increased rapidly or is consistently higher than the number of substantiated complaints filed with respect to other comparable educational institutions.

''(5) The educational institution is the subject of a civil lawsuit in Federal or State court, is charged with a crime under Federal or State law, or is the subject of an official investigation of a State or Federal agency for misconduct.

''(6) The educational institution has significant growth in revenue resulting from tuition, including tuition paid with assistance provided under this chapter, chapters 30 through 35 of this title, or the educational assistance programs or authorities specified in section 2006a(c)(1) of title 10, which cannot be attributed to changes made to such chapters by Acts of Congress or changes to the administration of such chapters, programs, or authorities.

''(7) Such other findings as the Secretary considers warrant conducting a compliance survey under subsection (a).''.

(b) EFFECTIVE DATE.—Subsection (c) of such section, as added by subsection (a), shall take effect on August 1, 2013.

SA 2958. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVIII—MILITARY AND VETERANS EDUCATIONAL REFORM

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Military and Veterans Educational Reform Act of 2012''.

SEC. 1802. ADDITIONAL REQUIREMENTS FOR APPROVAL OF EDUCATIONAL PROGRAMS FOR PURPOSES OF EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS AND SECRETARY OF DEFENSE.

(a) AUTOMATIC APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—Clause (i) of section 3672(b)(2)(A) of title 38, United States Code, is amended to read as follows:

''(i) A course that is described by section 3675(a) of this title.''.

(b) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Section 3675 of such title is amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(B) by striking subsection (a); and

(C) by inserting before subsection (c), as redesignated by subparagraph (A), the following new subsections:

''(a) The Secretary or a State approving agency may only approve a course that leads to an associate or higher degree when such course is an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) offered by an institution of higher education (as defined in section 102 of such Act (20 U.S.C. 1002)) that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094).

''(b)(1) The Secretary or a State approving agency may approve a course that does not lead to an associate or higher degree when—

''(A) such course—

''(i) is an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) offered by an institution of higher education (as defined in section 102 of such Act (20 U.S.C. 1002)) that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094);

''(ii) in the case of a course designed to prepare individuals for licensure or certification, meets the instructional curriculum licensure or certification requirements of the State in which the institution is located; and

''(iii) in the case of a course designed to prepare an individual for employment by a State board or agency in an occupation that requires approval or licensure for such employment, is approved or licensed by such State board or agency;

''(B) such course is accepted by the State department of education for credit for a teacher's certificate; or

''(C) such course is approved by the State as meeting the requirement of regulations prescribed by the Secretary of Health and Human Services under sections 1819(f)(2)(A)(i) and 1919(f)(2)(A)(i) of the Social Security Act (42 U.S.C. 1395i–3(f)(2)(A)(i) and 1396r(f)(2)(A)(i)).

''(2)(A) An educational institution shall submit an application for approval of courses to the appropriate State approving agency. In making application for approval, the institution (other than an elementary school or secondary school) shall transmit to the State approving agency copies of its catalog or bulletin which must be certified as true and correct in content and policy by an authorized representative of the institution.

''(B) Each catalog or bulletin transmitted by an institution under subparagraph (A) of this paragraph shall—

''(i) state with specificity the requirements of the institution with respect to graduation;

''(ii) include the information required under paragraphs (6) and (7) of section 3676(b) of this title; and

''(iii) include any attendance standards of the institution, if the institution has and enforces such standards.''.

(2) CONFORMING AMENDMENTS.—Such title is amended—

(A) in section 3452(g), by striking ''under the provisions of section 3675 of this title'';

(B) in section 3501(11), by striking ''under the provisions of section 3675 of this title'';

(C) in section 3672(b)(2)(A), by striking ''3675(b)(1) and (b)(2)'' and inserting ''3675(c)(1) and (c)(2)''; and

(D) in the heading for section 3675, by striking ''**accredited courses**'' and inserting ''**courses approved by Secretary of Education**''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3675 and inserting the following new item:

''3675. Approval of courses approved by Secretary of Education.''.

(c) APPROVAL BY SECRETARY OF VETERANS AFFAIRS OF NON-DEGREE PROGRAMS NOT APPROVED BY SECRETARY OF EDUCATION.—

(1) IN GENERAL.—Subsection (a) of section 3676 of such title is amended to read as follows:

''(a) No course of education which has not been approved by the Secretary or a State approving agency under section 3675 of this title shall be approved for the purposes of this chapter unless—

''(1) the course—

''(A) does not lead to an associate or higher degree;

''(B) was not an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) at any time during the most recent two-year period; and

''(C) is a course that the Secretary or State approving agency determines, in accordance with this section and such regulations as the Secretary shall prescribe and on a case-by-case basis, that approval of which would further the purposes of this chapter or any of chapters 30 through 35 of this title; and

''(2) the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.''.

(2) ADDITIONAL REQUIREMENTS.—Subsection (c) of section 3676 of such title is amended—

(A) by redesignating paragraph (14) as paragraph (21); and

(B) by inserting after paragraph (13) the following new paragraphs:

''(14) Such courses providing less than 600 clock hours of instruction, or its equivalent, have verified completion and placement rates of at least 70 percent.

''(15) Courses that prepare individuals for licensure or certification have verified that the course's instructional curriculum appropriately includes the licensure or certification requirements in the State in which the institution deems such curriculum does.

''(16) Courses for which a State board or agency in the State in which the course is designed to prepare a student requires approval or licensure for employment in the recognized occupation in the State is approved or licensed by such State board or agency.

''(17) In the case of an educational institution that advertises job placement rates as a means of attracting students to enroll in a course of education offered by the educational institution, the application contains any other information necessary to substantiate the truthfulness of such advertisements.

''(18) The educational institution does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance, except for the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.

''(19) The educational institution does not make any misrepresentations (as defined in section 668.71 of title 34, Code of Federal Regulations (or any corresponding similar regulation or ruling)) regarding the nature of its educational program, the nature of its financial charges, or the employability of its graduates (as defined in sections 668.72 through 668.74 of such title, respectively (or any corresponding similar regulations or rulings)).

''(20) The educational institution has provided information necessary to substantiate that it complies with the requirements set forth under section 600.9 of title 34 Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

(3) REQUIREMENT THAT ADDITIONAL REQUIREMENTS IMPOSED BY STATE APPROVING AGENCIES BE APPROVED BY SECRETARY OF VETERANS AFFAIRS.—Paragraph (21) of such subsection, as redesignated by paragraph (2)(A), is amended by inserting ''and approved by the Secretary'' before the period at the end.

(4) CONFORMING AMENDMENTS.—Section 3676 of such title is amended—

(A) in the heading for such section, by striking ''**nonaccredited courses**'' and inserting ''**courses not approved by Secretary of Education**''; and

(B) in subsection (c), in the matter before paragraph (1), by striking ''non-accredited''.

(5) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the item relating to section 3675 and inserting the following new item:

''3676. Approval of courses not approved by Secretary of Education.''.

(d) ASSISTANCE UNDER CERTAIN DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE PROGRAMS AVAILABLE FOR USE ONLY AT FDSL PARTICIPATING INSTITUTIONS.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2006 the following new section:

''§ 2006a. Assistance for education and training: availability of certain assistance for use only at Federal Direct Student Loan participating institutions

''(a) IN GENERAL.—Effective as of August, 1, 2013, an individual eligible for assistance under a Department of Defense educational assistance program or authority covered by this section may, except as provided in subsection (b), only use such assistance for educational expenses incurred for an eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) that—

''(1) is offered by an institution of higher education that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094);

''(2) in the case of a program designed to prepare individuals for licensure or certification, meets the instructional curriculum licensure or certification requirements of the State in which the institution is located; and

''(3) in the case of a program designed to prepare individuals for employment by a State board or agency in an occupation that requires approval or licensure for such employment, is approved or licensed by such State board or agency.

''(b) WAIVER.—The Secretary of Defense may, by regulation, authorize the use of educational assistance under a Department of

Defense educational assistance program or authority covered by this chapter for educational expenses incurred for a program of education that is not described in subsection (a) if the program—

''(1) is accredited and approved by a nationally recognized accrediting agency or association;

''(2) was not an eligible program described in subsection (a) at any time during the most recent two-year period;

''(3) is a program that the Secretary determines would further the purposes of the educational assistance programs or authorities covered by this chapter, or would further the education interests of students eligible for assistance under the such programs or authorities;

''(4) in the case of a program consisting of less than 600 clock hours of instruction, or its equivalent, has verified completion and placement rates of at least 70 percent;

''(5) in the case of a program that prepares individuals for licensure or certification, has instructional curriculum that appropriately includes the licensure or certification requirements in the State in which the institution deems such curriculum does;

''(6) in the case of a program designed to prepare a student for employment in a recognized occupation requiring approval or licensure for employment by a State board or agency, the program is approved or licensed by such State board or agency; and

''(7) the institution providing the program does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance, except for the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.

''(c) DEFINITIONS.—In this section:

''(1) The term 'Department of Defense educational assistance programs and authorities covered by this section' means the programs and authorities as follows:

''(A) The programs to assist military spouses in achieving education and training to expand employment and portable career opportunities under section 1784a of this title.

''(B) The authority to pay tuition for off-duty training or education of members of the armed forces under section 2007 of this title.

''(C) The program of educational assistance for members of the Selected Reserve under chapter 1606 of this title.

''(D) The program of educational assistance for reserve component members supporting contingency operations and certain other operations under chapter 1607 of this title.

''(E) Any other program or authority of the Department of Defense for assistance in education or training carried out under the laws administered by the Secretary of Defense that is designated by the Secretary, by regulation, for purposes of this section.

''(2) The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act for 1965 (20 U.S.C. 1002).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2006 the following new item:

''2006a. Assistance for education and training: availability of certain assistance for use only at Federal Direct Student Loan participating institutions.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2013.

SEC. 1803. REQUIREMENT THAT EDUCATIONAL INSTITUTIONS INFORM STUDENTS OF MATTERS RELATING TO ACCREDITATION AND OUTCOMES AS CONDITION OF APPROVAL FOR PURPOSES OF EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS AND SECRETARY OF DEFENSE.

(a) EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.—Section 3672 of title 38, United States Code, is amended—

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

''(f)(1) A course of education that is offered by an educational institution may not be approved under this chapter unless the educational institution discloses and makes readily available the information described in paragraph (2) to—

''(A) each individual considering enrolling in the course of education at or before the moment at which the individual applies for enrollment in such course of education;

''(B) each student who is enrolled in the course of education each year the student is so enrolled; and

''(C) the public.

''(2) The information described in this paragraph with respect to an educational institution or a course of education of the educational institution is the following:

''(A) The names of associations, agencies, or governmental bodies which accredit, approve, or license the educational institution and its courses of education and the procedures under which any current or prospective student may obtain or review upon request a copy of the documents describing the educational institution's accreditation, approval, or licensing.

''(B) Whether the educational institution is a public educational institution, a private nonprofit educational institution, or a private for-profit educational institution.

''(C) The rates of graduation of students who enroll in the course of education and the average dropout rate of all students enrolled in the course of education.

''(D) The percentage of students enrolled in the course of education who complete the course within—

''(i) the standard period for completion of such course of education;

''(ii) 150 percent of such period; and

''(iii) 200 percent of such period.

''(E) The median educational debt incurred by students who complete the course of education.

''(F) The cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the educational institution.

''(G) The rates of job placement of students who complete the course of education, as applicable, and the types of employment obtained by such students.

''(H) For any job for which the course of education is designed to prepare a student, the relevant licensing or certification requirements for such job in the State for which the course is designed to prepare the student to obtain such license or certificate and the examination and licensure test pass rates, as applicable.

''(I) The tuition and fees for programs of education at the educational institution.

''(J) The percentage of students enrolled in programs of education at the educational institution who have submitted a complaint under section 3697C(a) of this title.

''(K) With respect to the information reported under subparagraphs (C) through (J), indicators of how the educational institution compares with the averages of all public educational institutions with similar courses of education in the State in which the educational institution is located.

''(L) A description of the procedures by which student may submit complaints regarding educational institutions to applicable Federal and State agencies, including State approving agencies and accrediting agencies or associations and such contact information as may be necessary to submit such complaints.

''(M) A description of the process established under section 3697C(a) of this title and such contact information as may be necessary to submit a complaint in accordance with such process.

''(N) The policies established by the educational institution regarding transfer of course credit, including the following:

''(i) Any established criteria the educational institution uses regarding the transfer of course credit earned at another educational institution.

''(ii) A list of educational institutions that will accept transfer of course credit for specific programs of education offered by the educational institution.

''(iii) A list of educational institutions from which the educational institution will accept transfer of course credit for specific programs offered by that educational institution.

''(iv) Any changes by the educational institution in such policies and established criteria that first took effect in the most recent one-year period.

''(O) A statement of the requirements of any refund policies of the educational institution.

''(P) A statement of the requirements for officially withdrawing from a course of education at the educational institution.

''(Q) The standards which a student must maintain in order to be considered to be making satisfactory progress in a course of education at the educational institution.

''(R) A description of the services available at the educational institution that are tailored specifically to meet the needs of individuals receiving assistance under this chapter, any of chapters 30 through 35 of this title, or an educational assistance program or authority specified in section 2006a(c)(1) of title 10, including services provided under section 3679A(a) of this title.

''(S) In the case of an educational institution that advertises job placement rates as a means of attracting students to enroll in the educational institution, such information as may be necessary to substantiate the truthfulness of the claims made in such advertising.

''(3) The information disclosed and made readily available under paragraph (1) to individuals and students described in subparagraphs (A) and (B) of such paragraph, respectively, shall be disclosed and made readily available—

''(A) in language that can be easily understood by such individuals and students; and

''(B) in a uniform manner that is appropriate for such individuals and students, including by publications, mailings, and electronic media.''; and

(2) in subsection (b)(2)(A), as amended by section 1802(b)(2), in the matter before clause (i), by inserting ''subsection (f) and'' after ''Subject to''.

(b) EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2006a, as added by section 1802(d) of this Act, the following new section:

"§ 2006b. Disclosure requirements of educational institutions

''The Secretary may not provide a payment of educational expenses under an educational assistance program or authority specified in subsection (c)(1) of section 2006a of this title for instruction at an accredited institution of higher education (as defined in subsection (c)(2) of section 2006a of this title) unless such institution discloses and makes readily available the information described in paragraph (2) of section 3672(f) of title 38 as described in paragraph (3) of such section 3672(f) to the following:

''(1) Each individual considering enrolling in the course of education at or before the moment at which the individual applies for enrollment in such course of education.

''(2) Each student who is enrolled in the course of education each year the student is so enrolled.

''(3) The public.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title, as amended by section 1802(d) of this Act, is further amended by inserting after the item relating to section 2006a the following new item:

''2006b. Disclosure requirements of educational institutions.''.

(c) EFFECTIVE DATE.—Subsection (f) of section 3672 of title 38, United States Code, as added by subsection (a)(1), and section 2006b of title 10, United States Code, as added by subsection (b), shall take effect on August 1, 2013.

SEC. 1804. ADDITIONAL REQUIREMENTS OF EDUCATIONAL INSTITUTIONS FOR SUPPORT OF VETERANS AND MEMBERS OF ARMED FORCES.

(a) REQUIREMENTS.—

(1) IN GENERAL.—Subchapter I of chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 3679A. Additional requirements

''(a) PROVISION OF COUNSELING AND SERVICES.—(1) An educational institution with 20 or more covered individuals enrolled in programs of education at the educational institution may not be approved under this chapter unless the educational institution provides adequate academic and student support services (as determined by the Secretary), including remediation, tutoring, and career and job placement counseling services to such covered individuals.

''(2) The Secretary may, on a case-by-case basis, waive the requirement to provide services under paragraph (1) for an educational institution for an academic year if—

''(A) the Secretary determines that the educational institution has demonstrated that providing such services during such academic year would lead to severe financial hardship; and

''(B) the educational institution submits to the Secretary a plan to provide such services during the following academic year.

''(b) MINIMUM STANDARDS FOR EMPLOYMENT OF POINTS OF CONTACT.—An educational institution may not be approved under this chapter unless the educational institution employs a number of full-time equivalent employees that the Secretary considers adequate, but not less than one full-time equivalent employee, who—

''(1) acts as a point of contact for covered individuals on matters relating to educational assistance available to individuals under this chapter and chapters 30 through 35 of this title and under the educational assistance programs and authorities specified in section 2006a(c)(1) of title 10;

''(2) is knowledgeable about such educational assistance and such other financial aid, admissions, counseling and referral services, and matters relating to postsecondary education as are important to the educational success of covered individuals; and

''(3) is available to assist covered individuals on a full-time basis.

''(c) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual', with respect to enrollment in a program of education, means an individual who is receiving educational assistance under this chapter or any of chapters 30 through 35 of this title or under the educational assistance programs and authorities specified in section 2006a(c)(1) of title 10 for such program of education.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by inserting after the item relating to section 3679 the following new item:

''3679A. Additional requirements.''.

(b) CONFORMING AMENDMENT.—Section 3672(b)(2)(A) of such title (as amended by section 1803(a)(2)) is further amended by striking ''and 3696'' and inserting ''3696, and 3679A''.

(c) EFFECTIVE DATE.—Section 3679A of such title, as added by paragraph (1), shall take effect on August 1, 2013.

SEC. 1805. STATE APPROVING AGENCIES.

(a) EDUCATION AND OUTREACH.—

(1) IN GENERAL.—Subchapter I of chapter 36 of title 38, United States Code, is amended by inserting after section 3674A the following new section:

"§ 3674B. Education and outreach

''(a) EDUCATION AND OUTREACH REQUIRED.—As a condition on receipt of reimbursement expenses under section 3674 of this title, each State approving agency shall conduct such education and outreach activities for individuals who are eligible to receive or are receiving educational assistance under this chapter or any of chapters 30 through 35 of this title as the Secretary considers appropriate to assist such individuals in making well-informed choices about their education and successfully transitioning into an educational environment.

''(b) COORDINATION.—Each State approving agency conducting outreach activities under subsection (a) shall coordinate with the Secretary of Defense to ensure, as the Secretary of Defense considers appropriate, that information on educational assistance available under this chapter and chapters 30 through 35 of this title is made readily available as part of the Transition Assistance Program (TAP) of the Department of Defense in the State of the State approving agency.

''(c) MANNER.—Information made available as part of education and outreach activities under this section shall be made—

''(1) in language that can be easily understood by individuals described in paragraph (1);

''(2) in a uniform and easily accessible manner; and

''(3) through such means as may be appropriate and effective, including through publications, mailings, and electronic media.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by inserting after the item relating to section 3674A the following new item:

''3674B. Education and outreach.''.

(b) AUDITS.—Section 3673(d) of such title is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

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

''(2) Each year, each State approving agency, as a condition of receiving reimbursement of expenses under section 3674 of this title, shall conduct such audits as the Secretary considers appropriate, including unannounced audits and audits using risk-based approaches, of educational institutions in the State of the State approving agency that have students enrolled in programs of education at the educational institutions who are receiving educational assistance under this chapter or any of chapters 30 through 35 of this title (without regard to whether the Secretary or the State approving agency approved the courses offered) in such State—

''(A) to detect misrepresentation, fraud, waste, and abuse;

''(B) to ensure full compliance with the provisions of this chapter; and

''(C) for such other purposes as the Secretary considers appropriate.''.

(c) REPORTS.—Section 3674(a)(3) of such title is amended—

(1) by inserting ''(A)'' before ''Each State''; and

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

''(B) Each report submitted under subparagraph (A) shall include the following:

''(i) The number of visits made by the agency to educational institutions, including the number of such visits that were made without the prior knowledge of such educational institution.

''(ii) A description of the audits carried out by the agency under section 3673(d)(2) of this title and the findings of the agency, including with respect to any substantiated findings of misrepresentation, fraud, waste, abuse, or failure to comply with an applicable requirement of this chapter and the steps taken by the agency to address such fraud, waste, abuse, or failure to comply.

''(iii) A description of the outreach and training activities conducted by the agency under section 3674B of this title.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2013.

SEC. 1806. MANDATORY COMPLIANCE REVIEWS.

(a) IN GENERAL.—Section 3693 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(c) In addition to the annual compliance surveys conducted under subsection (a), the Secretary shall also conduct a compliance review, in accordance with such regulations as the Secretary shall prescribe, of an educational institution described in such subsection whenever the Secretary finds any of the following:

''(1) The number of student enrollments at, or the rate of student enrollments of, the educational institution has increased rapidly.

''(2) The student dropout rate of the institution has increased rapidly.

''(3) The cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the educational institution has increased rapidly or is consistently higher than the average of cohort default rate of comparable educational institutions.

''(4) The number of substantiated complaints filed under section 3697C(a)(1) of this title with respect to the educational institution have increased rapidly or is consistently higher than the number of substantiated complaints filed with respect to other comparable educational institutions.

''(5) The educational institution is the subject of a civil lawsuit in Federal or State court, is charged with a crime under Federal or State law, or is the subject of an official investigation of a State or Federal agency for misconduct.

''(6) The educational institution has significant growth in revenue resulting from tuition, including tuition paid with assistance provided under this chapter, chapters 30

through 35 of this title, or the educational assistance programs or authorities specified in section 2006a(c)(1) of title 10, which cannot be attributed to changes made to such chapters by Acts of Congress or changes to the administration of such chapters, programs, or authorities.

''(7) Such other findings as the Secretary considers warrant conducting a compliance survey under subsection (a).''.

(b) EFFECTIVE DATE.—Subsection (c) of such section, as added by subsection (a), shall take effect on August 1, 2013.

SEC. 1807. TRAINING AND COUNSELING SO VETERANS AND MEMBERS OF THE ARMED FORCES CAN MAKE INFORMED DECISIONS ABOUT EDUCATION.

(a) IN GENERAL.—Subchapter II of chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3697B. Required one-on-one educational counseling

''(a) PROVISION OF COUNSELING REQUIRED.—(1) The Secretary of Veterans Affairs shall provide individualized, one-on-one educational counseling to all individuals considering pursuing a program of education with assistance furnished under this chapter or any of chapters 30 through 35 of this title.

''(2) The Secretary of Defense shall provide individualized, one-on-one educational counseling to all individuals considering pursuing a program of education with assistance furnished under an educational assistance program or authority specified in section 2006a(c)(1) of title 10.

''(b) TIME AND MANNER OF COUNSELING.—(1) Counseling provided under subsection (a) to an individual described in such subsection considering a program of education shall be provided at or before the individual enrolls in such program as follows:

''(A) To such individuals who have received fewer than ⅓ of the credits necessary to complete the program of education, a complete version of such counseling.

''(B) To such individuals who have received ⅓ or more of the credits necessary to complete the program of education, a condensed version of such counseling as the Secretary of Veterans Affairs or the Secretary of Defense, as the case may be, considers appropriate.

''(2) To the extent practicable, counseling provided under subsection (a) to an individual described in paragraph (1)(A) of this subsection shall be provided in person.

''(3) The Secretary of Veterans Affairs and the Secretary of Defense shall each establish, by regulation, procedures by which individuals may receive counseling provided under subsection (a) when receipt of such counseling in person is not practicable.

''(c) ELEMENTS.—A complete version of counseling provided under subsection (b)(1) for an individual shall include the following:

''(1) An overview of educational assistance available to the individual under this chapter and chapters 30 through 35 of this title or under the educational assistance programs and authorities specified in section 2006a(c)(1) of title 10, as the case may be.

''(2) Development of a personalized academic and career plan.

''(3) An overview of the information disclosed and made readily available under section 3672(f)(1) of this title relevant to the academic and career plan developed under paragraph (2).

''(4) A discussion of how enrollment in the program of education at the educational institution will affect the individual's academic and career plan and the financial implications for such individual of such enrollment.

''(5) An introduction to the College Navigator Internet website of the Department of Education.

''(d) QUALIFIED COUNSELORS.—Counseling provided under subsection (a) may only be provided by properly trained counselors, as determined by the Secretary of Veterans Affairs and the Secretary of Defense.

''(e) USE OF INFORMATION DISCLOSED BY EDUCATIONAL INSTITUTIONS.—In providing educational assistance under this section, the Secretary of Veterans Affairs and the Secretary of Defense shall, to the degree practicable, use the information disclosed and made readily available under section 3672(f)(1) of this title.

''(f) LINKS TO COLLEGE NAVIGATOR INTERNET WEBSITE OF DEPARTMENT OF EDUCATION.—The Secretary of Veterans Affairs and the Secretary of Defense shall provide links on the Internet websites of the Department of Veterans Affairs of the Department of Defense, respectively, to the College Navigator Internet website of the Department of Education in such a manner as the Secretary of Veterans Affairs and the Secretary of Defense consider appropriate to inform veterans and members of the Armed Forces of the availability of and the benefits of using the College Navigator Internet website.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 36 of such title is amended by adding at the end the following new item:

''3697B. Required one-on-one educational counseling.''.

(c) CLARIFICATION.—

(1) HEADING OF SECTION 3697A OF TITLE 38.—Section 3697A of such title is amended, in the heading, by adding ''**by election**'' at the end.

(2) TABLE OF SECTIONS.—The table of sections for chapter 36 of such title is amended by amending the item relating to section 3697A to read as follows:

''3697A. Educational and vocational counseling by election.''.

(d) EFFECTIVE DATE.—Section 3697B of such title, as added by paragraph (1), shall take effect on August 1, 2013, and shall apply with respect to individuals considering pursuing programs of education as described in subsection (a) of such section after such date.

SEC. 1808. COORDINATION AND OVERSIGHT OF EDUCATIONAL ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Subchapter II of chapter 36 of title 38, United States Code, as amended by section 1806, is further amended by adding at the end the following new section:

''§ 3697C. Coordination and oversight

''(a) DEVELOPMENT OF CENTRALIZED COMPLAINTS PROCESS.—(1) Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Secretary of Veterans Affairs and the Secretary of Defense shall each establish, by regulation, a process whereby persons are able to submit to the Secretaries, including by submitting via State approving agencies, complaints regarding educational institutions relevant to the provision of educational assistance provided under this chapter and chapters 30 through 35 of this title and under the educational assistance programs and authorities specified in section 2006a(c)(1) of title 10, including complaints regarding misrepresentation, fraud, waste, and abuse.

''(2) The process required by paragraph (1) shall include procedures to address complaints in a timely manner, including review and investigation of such complaints.

''(3) Each year, the Secretary of Veterans Affairs and the Secretary of Defense shall each compile the information they collect under this subsection and share such information with each other and the Secretary of Education, as otherwise allowed under law.

''(b) INFORMATION SHARING BETWEEN SECRETARY OF VETERANS AFFAIRS, SECRETARY OF DEFENSE, AND SECRETARY OF EDUCATION.—(1) Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Secretary of Veterans Affairs and the Secretary of Defense shall each establish, by regulation, a process by which information may be reported by their respective departments to the Secretary of Education and each other regarding information with respect to substantiated acts by educational institutions of misrepresentation, fraud, waste, or abuse or failure to comply with an applicable requirement of this chapter or other information considered appropriate by the reporting Secretary by an educational institution at which an individual is enrolled in a program of education for which the individual receives educational assistance under this chapter, any of chapters 30 through 35 of this title, or an educational assistance program or authority specified in section 2006a(c)(1) of title 10 relevant to the purpose and effective implementation of Federal programs of educational assistance provided under such chapters, programs, or authorities.

''(2) Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Secretary of Education shall establish a process by which the Secretary of Education notifies the Secretary of Veterans Affairs and the Secretary of Defense of the following with respect to educational institutions:

''(A) Substantiated acts by educational institutions of misrepresentation, fraud, waste, or abuse.

''(B) Loss of accreditation.

''(C) Loss of eligibility under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(D) Has been reported by a Federal or State agency or a nationally recognized accrediting agency or association as failing to comply with, or has a significant risk of failing to comply with, a provision of Federal or State law or a requirement that is a condition for accreditation established by a nationally recognized accrediting agency or association.

''(E) Such other information as the Secretary of Education considers appropriate.

''(c) ANNUAL REPORT ON EDUCATIONAL ASSISTANCE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.—(1) Not less frequently than once each year, the Secretary of Veterans Affairs and the Secretary of Defense shall each submit to Congress a report on the provision of educational assistance under this chapter and chapters 30 through 35 of this title and under the educational assistance programs and authorities specified in section 2006a(c)(1) of title 10, respectively.

''(2) Each report submitted under subsection (a) shall include, for the period covered by the report and disaggregated by for-profit and not-for-profit educational institutions, the following:

''(A) The number of individuals who received assistance under laws administered by the respective Secretary.

''(B) The amounts of assistance provided.

''(C) A description of any complaints reported under subsection (a) to the respective Secretary or State approving agencies by such individuals with respect to the receipt or use of educational assistance under laws administered by the respective Secretary.

''(D) All substantiated reports of misrepresentation, waste, fraud, abuse, or other acts that are inconsistent with the requirements of this chapter by an educational institution at which an individual is enrolled in a program of education for which the individual is receiving educational assistance under a law administered by the respective Secretary.

''(E) A list of educational institutions which had courses of education that were approved under this chapter in the previous year but were found, in the year covered by the report, not in compliance with a requirement of such chapter.

''(F) Such recommendations for legislative or regulatory action as the respective Secretary considers appropriate to improve the provision of educational assistance under the laws administered by the respective Secretary.

''(G) An assessment of the academic performance of individuals who received educational assistance described in paragraph (1), including graduation rates and dropout rates.

''(H) A list of educational institutions that were approved under this chapter, disaggregated by educational institutions approved under section 3676 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title, as amended by section 1806, is further amended by adding at the end the following new item:

''3697C. Coordination and oversight.''.

SA 2959. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 847. REPORTS ON USE OF INDEMNIFICATION AGREEMENTS.

(a) IN GENERAL.—Not later than 90 days after the end of each of fiscal years 2013 through 2016, the Secretary of Defense shall submit to the appropriate committees of Congress a report on any actions described in subsection (b) which occurred during the preceding fiscal years.

(b) ACTIONS DESCRIBED.—

(1) IN GENERAL.—An action described in this subsection is the Secretary of Defense—

(A) entering into a contract that includes an indemnification provision relating to bodily injury caused by negligence or relating to wrongful death; or

(B) modifying an existing contract to include a provision described in subparagraph (A) in a contract.

(2) EXCLUDED CONTRACTS.—Paragraph (1) shall not apply to any contract awarded in accordance with—

(A) section 2354 of title 10, United States Code; or

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(c) MATTERS INCLUDED.—For each action covered in a report under subsection (a), the report shall include—

(1) the name of the contractor;

(2) a description of the indemnification provision included in the contract; and

(3) a justification for the contract including the indemnification provision.

(d) FORM.—Each report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on the Budget, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

SA 2960. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 513. REPORT ON MECHANISMS TO EASE THE REINTEGRATION INTO CIVILIAN LIFE OF MEMBERS OF THE NATIONAL GUARD AND THE RESERVES FOLLOWING A DEPLOYMENT ON ACTIVE DUTY.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study of the adequacy of mechanisms for the reintegration into civilian life of members of the National Guard and the Reserves following a deployment on active duty in the Armed Forces, including whether permitting such members to remain on active duty for a limited period after such deployment (often referred to as a ''soft landing'') is feasible and advisable for facilitating and easing that reintegration.

(b) ELEMENTS.—

(1) IN GENERAL.—The study required by subsection (a) shall address the unique challenges members of the National Guard and the Reserves face when reintegrating into civilian life following a deployment on active duty in the Armed Forces and the adequacy of the policies, programs, and activities of the Department of Defense to assist such members in meeting such challenges.

(2) PARTICULAR ELEMENTS.—The study shall take into consideration the following:

(A) Disparities in reintegration after deployment between members of the regular components of the Armed Forces and members of the reserve components of the Armed Forces, including—

(i) disparities in access to services, including, but not limited to, health care, mental health counseling, job counseling, and family counseling;

(ii) disparities in amounts of compensated time provided to take care of personal affairs;

(iii) disparities in amounts of time required to properly access services and to take care of personal affairs, including travel time; and

(iv) disparities in costs of uncompensated events or requirements, including, but not limited to, travel costs and legal fees.

(B) Disparities in reintegration policies and practices among the various Armed Forces and between the regular and reserve components of the Armed Forces.

(C) Disparities in the lengths of time of deployment between the regular and reserve components of the Armed Forces.

(D) Applicable medical studies on reintegration, including studies on the rest and recuperation needed to appropriately recover from combat and training stress.

(E) Other applicable studies on reintegration policies and practices, including the recommendations made by such studies.

(F) Appropriate recommendations for the elements of a program to assist members of the National Guard and the Reserves following a deployment on active duty in the Armed Forces in reintegrating into civilian life, including means of ensuring that the program applies uniformly across the Armed Forces and between the regular components and reserve components of the Armed Forces.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study required by subsection (a). The report shall set forth the results of the study, including the matters specified in subsection (b), and include such comments and recommendation in light of the study as the Secretary considers appropriate.

SA 2961. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 561. REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2017. Requirement to use human-based methods for certain medical training

''(a) COMBAT TRAUMA INJURIES.—(1) Not later than October 1, 2014, the Secretary of Defense shall develop, test, and validate human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries with the goal of replacing live animal-based training methods.

''(2) Not later than October 1, 2016, the Secretary—

''(A) shall only use human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries; and

''(B) may not use animals for such purpose.

''(b) EXCEPTION FOR PARTICULAR COMMANDS AND TRAINING METHODS.—(1) The Secretary may exempt a particular command, particular training method, or both, from the requirement for human-based training methods under subsection (a)(2) if the Secretary determines that human-based training methods will not provide an educationally equivalent or superior substitute for live animal-based training methods for such command or training method, as the case may be.

''(2) Any exemption under this subsection shall be for such period, not more than one year, as the Secretary shall specify in granting the exemption. Any exemption may be renewed (subject to the preceding sentence).

''(c) ANNUAL REPORTS.—(1) Not later than October 1, 2013, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods and replacement of live animal-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

''(2) Each report under this subsection on or after October 1, 2016, shall include a description of any exemption under subsection (b) that is in force as of the time of such report, and a current justification for such exemption.

''(d) DEFINITIONS.—In this section:

''(1) The term 'combat trauma injuries' means severe injuries likely to occur during combat, including—

''(A) hemorrhage;

''(B) tension pneumothorax;

''(C) amputation resulting from blast injury;

''(D) compromises to the airway; and

''(E) other injuries.

''(2) The term 'human-based training methods' means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—

''(A) simulators;

''(B) partial task trainers;

''(C) moulage;

''(D) simulated combat environments;

''(E) human cadavers; and

''(F) rotations in civilian and military trauma centers.

''(3) The term 'partial task trainers' means training aids that allow individuals to learn or practice specific medical procedures.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by adding at the end the following new item:

''2017. Requirement to use human-based methods for certain medical training.''.

SA 2962. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of C subtitle of title II, add the following:

SEC. 238. SENSE OF CONGRESS ON THE SUBMITTAL TO CONGRESS OF THE HOMELAND DEFENSE HEDGING POLICY AND STRATEGY REPORT OF THE SECRETARY OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Section 233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1340) requires a homeland defense hedging policy and strategy report from the Secretary of Defense.

(2) The report was required to be submitted not later than 75 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, namely by March 16, 2012.

(3) The Secretary of Defense has not yet submitted the report as required.

(4) In March 2012, General Charles Jacoby, Jr., Commander of the United States Northern Command, the combatant command responsible for operation of the Ground-based Midcourse Defense system to defend the homeland against ballistic missile threats, testified before Congress that ''I am confident in my ability to successfully defend the homeland from the current set of limited long-range ballistic missile threats'', and that ''[a]gainst current threats from the Middle East, I am confident we are well postured''.

(5) Phase 4 of the European Phased Adaptive Approach (EPAA) is intended to augment the currently deployed homeland defense capability of the Ground-based Midcourse Defense system against a potential future Iranian long-range missile threat by deploying an additional layer of forward-deployed interceptors in Europe in the 2020 timeframe.

(6) The Director of National Intelligence, James Clapper, has testified to Congress that, although the intelligence community does ''not know if Iran will eventually decide to build nuclear weapons'', it judges ''that Iran would likely choose missile delivery as its preferred method of delivering a nuclear weapon''. He also testified that ''Iran already has the largest inventory of ballistic missiles in the Middle East, and it is expanding the scale, reach, and sophistication of its ballistic missile forces, many of which are inherently capable of carrying a nuclear payload''.

(7) The 2012 Annual Report to Congress on the Military Power of Iran by the Department of Defense states that, in addition to increasing its missile inventories, ''Iran has boosted the lethality and effectiveness of its existing missile systems with accuracy improvements and new submunitions payloads'', and that it continues to develop missiles that can strike Israel and Eastern Europe. It also states that ''Iran has launched multistage space launch vehicles that could serve as a testbed for developing long-range ballistic missiles technologies'', and that ''[w]ith sufficient foreign assistance, Iran may be technically capable of flight-testing an intercontinental ballistic missile by 2015''.

(8) Despite the failure of its April 2012 satellite launch attempt, North Korea warned the United States in October 2012 that the United States mainland is within range of its missiles.

(9) The threat of limited ballistic missile attack against the United States homeland from countries such as North Korea and Iran is increasing.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the homeland defense hedging policy and strategy report required by section 233 of the National Defense Authorization Act for Fiscal Year 2012 is necessary to inform Congress on options to protect the United States homeland against the evolving ballistic missile threat, including potential options prior to the deployment of Phase 4 of the European Phased Adaptive Approach to missile defense; and

(2) the Secretary of Defense should comply with the requirements of section 233 of the National Defense Authorization Act for Fiscal Year 2012 by submitting the homeland defense hedging policy and strategy report to Congress.

SA 2963. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 585. POSTHUMOUS HONORARY PROMOTION OF SERGEANT PASCHAL CONLEY TO SECOND LIEUTENANT IN THE ARMY.

Notwithstanding the time limitation specified in section 1521 of title 10, United States Code, or any other time limitation with respect to posthumous promotions for persons who served in the Armed Forces, the President is authorized to issue an appropriate posthumous honorary commission promoting to second lieutenant in the Army under section 1521 of such title Sergeant (retired) Paschal Conley, a distinguished Buffalo Soldier who was recommended for promotion to second lieutenant under then-existing procedures by General John J. Pershing.

SA 2964. Mr. CHAMBLISS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 643. MODIFICATION OF PER-FISCAL YEAR CALCULATION OF DAYS OF CERTAIN ACTIVE DUTY OR ACTIVE SERVICE TO REDUCE ELIGIBILITY AGE FOR RETIREMENT FOR NON-REGULAR SERVICE.

(a) ACCUMULATION OF 90-DAY PERIODS OF SERVICE WITHIN ANY TWO CONSECUTIVE FISCAL YEARS.—Section 12731(f)(2)(A) of title 10, United States Code, is amended by striking ''in any fiscal year'' and inserting ''in any two consecutive fiscal years''.

(b) RETROACTIVE EFFECTIVE DATE AND APPLICABILITY.—The amendment made by subsection (a) shall take effect as of January 28, 2008, as if included in the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) as enacted, and shall apply with respect to service described by paragraph (2) of section 12731(f) of title 10, United States Code (as amended by Public Law 110–181 and subsection (a)), that occurs on or after September 11, 2001.

SA 2965. Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1104. FEDERAL EMPLOYEES RETIREMENT SYSTEM AGE AND RETIREMENT TREATMENT FOR CERTAIN RETIREES OF THE ARMED FORCES.

(a) INCREASE IN MAXIMUM AGE LIMIT FOR POSITIONS SUBJECT TO FERS.—

(1) LAW ENFORCEMENT OFFICERS.—Section 3307(e) of title 5, United States Code, is amended—

(A) in paragraph (1), by inserting ''or (3)'' after ''paragraph (2)''; and

(B) by adding at the end the following:

''(3) The maximum age limit for an original appointment to a position as a law enforcement officer (as defined in section 8401(17)) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.''.

(2) OTHER POSITIONS.—The maximum age limit for an original appointment to a position as a member of the Capitol Police or Supreme Court Police, nuclear materials courier (as defined under section 8401(33) of such title), or customs and border protection officer (as defined in section 8401(36) of such title) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.

(b) ELIGIBILITY FOR ANNUITY.—Section 8412(d) of such title is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by adding ''or'' at the end; and

(3) by inserting after paragraph (2) the following:

''(3) after becoming 57 years of age and completing 10 years of service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs or border protection officer, or any combination of such service totaling 10 years, if such employee—

''(A) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, or customs and border protection officer on or after the effective date of this paragraph under section 1104(e) of the National Defense Authorization Act for Fiscal Year 2013, and

''(B) on the date that original appointment met the requirements of section 3307(e)(2) of this title or section 1104(a)(2) of the National Defense Authorization Act for Fiscal Year 2013,''.

(c) MANDATORY SEPARATION.—Section 8425 of such title is amended—

(1) in subsection (b)(1), in the first sentence, by inserting '', except that a law enforcement officer, nuclear materials courier, or customs and border protection officer eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period;

(2) in subsection (c), in the first sentence, by inserting '', except that a member of the Capitol Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period; and

(3) in subsection (d), in the first sentence, by inserting '', except that a member of the Supreme Court Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period.

(d) COMPUTATION OF BASIC ANNUITY.—Section 8415(e) of such title is amended—

(1) in paragraph (1), by striking ''total service as'' and inserting ''civilian service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs and border protection officer, or air traffic controller that, in the aggregate,''; and

(2) in paragraph (2), by striking ''so much of such individual's total service as exceeds 20 years'' and inserting ''the remainder of such individual's total service''.

(e) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect 60 days after the date of enactment of this Act and shall apply to appointments made on or after that effective date.

SA 2966. Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

SEC. 322. EXPANSION AND REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.

(a) EXPANSION.—Section 338 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 5013 note) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) DEMONSTRATION PROJECT AUTHORIZED.—In accordance with section 4703 of title 5, United States Code, the Secretary of a military department may carry out a demonstration project at facilities described in subsection (b) under which workers who are certified at the journey level as able to perform multiple trades shall be promoted by one grade level.''; and

(2) in subsection (b), by striking ''Logistics Center, Navy Fleet Readiness Center,'' and inserting ''Logistics Complex, Navy Fleet Readiness Center, Navy shipyard, Marine Corps Logistics Base,''.

(b) REAUTHORIZATION.—Such section is further amended—

(1) in subsection (d), by striking ''2013'' and inserting ''2018''; and

(2) in subsection (e), by striking ''2014'' and inserting ''2019''.

SA 2967. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and such military historians as the Secretary of Defense considers appropriate, shall establish a process to determine whether a covered individual served as described in subsection (a) or (b) of section 107 of title 38, United States Code, for purposes of determining whether such covered individual is eligible for benefits described in such subsections.

(b) COVERED INDIVIDUALS.—For purposes of this section, a covered individual is any individual who—

(1) claims service described in subsection (a) or (b) of section 107 of title 38, United States Code; and

(2) is not included in the Approved Revised Reconstructed Guerilla Roster of 1948, known as the ''Missouri List''.

SA 2968. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1024. TRANSFER OF CERTAIN NAVAL VESSELS TO TAIWAN.

(a) TRANSFER BY SALE.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS UNDERWOOD (FFG-36), USS CARR (FFG-52), USS VANDEGRIFT (FFG-48), and USS NICHOLAS (FFG-47) to the Taipei Economic and Cultural Representative Office of the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a))) on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(b) ALTERNATIVE TRANSFER AUTHORITY.—In the event that a recipient to which a vessel transfer is authorized under subsection (a) declines to accept the transfer, the President is authorized to transfer such vessel to another eligible recipient. Each such transfer shall be on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), and shall be subject to the applicable congressional notification requirements of that Act.

(c) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient (notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1))).

(d) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States, including a United States Navy shipyard.

(e) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

SA 2969. Mr. HELLER (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. REPORT ON THE FUTURE AVAILABILITY OF TRICARE PRIME THROUGHOUT THE UNITED STATES.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy of the Department of Defense on the future availability of TRICARE Prime under the TRICARE program for eligible beneficiaries in all TRICARE regions throughout the United States.

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

(1) A description, by region, of the difference in availability of TRICARE Prime for eligible beneficiaries (other than eligible beneficiaries on active duty in the Armed Forces) under newly-awarded TRICARE managed care contracts, including, in particular, an identification of the regions or areas in which TRICARE Prime will no longer be available for such beneficiaries under such contracts.

(2) A description of the transition and outreach plans for eligible beneficiaries described in paragraph (1) who will no longer have access to TRICARE Prime under the contracts described in that paragraph.

(3) An estimate of the increased costs to be incurred for healthcare under the TRICARE program for eligible beneficiaries described in paragraph (2).

(4) An estimate of the saving to be achieved by the Department as a result of the contracts described in paragraph (1).

(5) A description of the plans of the Department to continue to assess the impact on access to healthcare for eligible beneficiaries described in paragraph (2).

SA 2970. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2824. DEFINITION OF RENEWABLE ENERGY SOURCE FOR PURPOSES OF DEPARTMENT OF DEFENSE ENERGY SECURITY.

Section 2924(7)(A) of title 10, Unites States Code, is amended by inserting ''and direct solar renewable energy as defined in section 605(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17173(c))'' after ''Solar, including electricity''.

SA 2971. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. SENSE OF THE SENATE ON PROTECTION OF DEPARTMENT OF DEFENSE AIRFIELDS, TRAINING AIRSPACE, AND AIR TRAINING ROUTES.

It is the sense of the Senate that—

(1) Department of Defense airfields, training airspace, and air training routes are national treasures that must be protected from encroachment;

(2) placement or emplacement of obstructions near or on Department of Defense airfields, training airspace, or air training routes has the potential of increasing risk to military aircraft and personnel as well as impacting training and readiness; and

(3) the Department of Defense should develop comprehensive rules and regulations to address construction and use of land in close proximity to Department of Defense airfields, training areas, or air training routes to ensure compatibility with military aircraft operations.

SA 2972. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. SENSE OF CONGRESS THAT THE BUGLE CALL COMMONLY KNOWN AS TAPS SHOULD BE DESIGNATED AS THE NATIONAL SONG OF MILITARY REMEMBRANCE.

It is the sense of Congress that the bugle call commonly known as ''Taps'' should be designated as the National Song of Military Remembrance.

SA 2973. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VII, add the following:

SEC. 735. SENSE OF SENATE ON MENTAL HEALTH COUNSELORS FOR MEMBERS OF THE ARMED FORCES, VETERANS, AND THEIR FAMILIES.

It is the sense of the Senate that—

(1) the Secretary of Defense and the Secretary of Veterans Affairs should develop a plan to ensure a sustainable flow of qualified counselors to meet the long-term needs of members of the Armed Forces, veterans, and their families for counselors; and

(2) the plan should include the participation of accredited schools and universities, health care providers, professional counselors, family service or support centers, chaplains, and other appropriate resources of the Department of Defense and the Department of Veterans Affairs.

SA 2974. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 888. INAPPLICABILITY TO DEPARTMENT OF DEFENSE OF CERTAIN ALTERNATIVE FUEL PROCUREMENT REQUIREMENTS.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''No Federal agency''; and

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

''(b) INAPPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall not apply to the Department of Defense.''.

SA 2975. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. MODIFICATION OF DEFINITION.

Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by inserting after ''Code),'' the following: ''or any component of any such article, including, without limitation, shot, bullets and other projectiles, propellants, and primers,''.

SA 2976. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. REQUIREMENT FOR DETENTION AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, OF HIGH-VALUE DETAINEES WHO WILL BE DETAINED LONG-TERM.

(a) REQUIREMENT.—Each high-value enemy combatant who is captured or otherwise taken into long-term custody or detention by the United States shall, while under such detention of the United States, be detained at the Guantanamo Bay Detention Facility (GTMO) at United States Naval Station, Guantanamo Bay, Cuba.

(b) HIGH-VALUE ENEMY COMBATANT DEFINED.—In this section, the term ''high-value enemy combatant'' means an enemy combatant who—

(1) is a senior member of al-Qaeda, the Taliban, or any associated terrorist group;

(2) has knowledge of an imminent terrorist threat against the United States or its territories, the Armed Forces of the United States, the people or organizations of the United States, or an ally of the United States;

(3) has, or has had, direct involvement in planning or preparing a terrorist action against the United States or an ally of the United States or in assisting the leadership of al-Qaeda, the Taliban, or any associated terrorist group in planning or preparing such a terrorist action; or

(4) if released from detention, would constitute a clear and continuing threat to the United States or any ally of the United States.

SA 2977. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 827. SECRETARY OF DEFENSE ASSESSMENT OF INDEPENDENT COMMISSION TO REFORM FEDERAL ACQUISITION RULES.

(a) ASSESSMENT.—The Secretary of Defense shall, in consultation with the other members of the Federal Acquisition Regulatory Council, conduct an assessment the feasibility and advisability of establishing an independent commission to streamline and simplify current Federal acquisition rules and guidance. The purpose of the commission for purposes of the assessment shall be to reduce, consolidate, and update all Federal acquisition rules in order to create an acquisition system that is more cost effective, efficient, and timely.

(b) ELEMENTS.—The assessment required by subsection (a) shall include, but not be limited to, the following:

(1) A comprehensive review of current Federal acquisition rules affecting defense acquisition.

(2) A consideration of the history, rationale, and effects of the proliferation of the documents, rules, and regulations relating to the Federal acquisition process.

(3) The impact of current Federal acquisition rules on open competition, small business participation, and execution of contracts.

(4) The impact of current Federal acquisition rules on warfighter access to the latest technologies and weapon systems.

(5) Such recommendations as the Secretary considers appropriate regarding potential changes to documents, rules, and procedures relating to the Federal acquisition process.

(6) An assessment of the feasibility and advisability of establishing an independent commission to reform Federal acquisition rules.

(7) If such an independent commission is considered feasible and advisable, such recommendation on the size, composition, and duration of the commission as the Secretary considers appropriate.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the assessment required by subsection (a).

SA 2978. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 888. PLAN TO INCREASE NUMBER OF CONTRACTORS ELIGIBLE FOR CONTRACTS UNDER AIR FORCE NETCENTS-2 CONTRACT.

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan to increase the number of contractors eligible to be awarded contracts under the Air Force's Network-Centric Solutions-2 (NETCENTS-2) indefinite-delivery, indefinite-quantity (IDIQ) contract.

(b) CONTENT.—The plan required under subsection (a) shall include the following elements:

(1) A recommendation and rationale for a maximum number of contractors to be eligible for contract awards under NETCENTS-2 to foster competition and reduce overall costs associated with hardware and operation and maintenance of Air Networks.

(2) The methodology used to periodically review existing eligible NETCENTS-2 contractors and contracts.

(3) A timeline to increase the current number of eligible contractors under NETCENTS-2 and dates of future ''on-ramps'' under NETCENTS-2 to assess current eligible contractors and add additional eligible contractors.

SA 2979. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

SEC. 272. SENSE OF SENATE ON USE OF ARTIFICIAL INTELLIGENCE IN TRAINING EXERCISES FOR MEMBERS OF THE ARMED FORCES.

It is the sense of the Senate that—

(1) modeling and simulation will continue to play a critical role in the training of the members of the Armed Forces;

(2) while modeling and simulation has reduced the overall costs of training of members of the Armed Forces, there are significant costs associated with contractor overhead, including costs in connection with playing the role of opposing forces, civilian populations, government agencies, and nongovernment organizations during training exercises;

(3) advances in artificial intelligence could reduce the number of contractors required to support training exercises for members of the Armed Forces, and thereby reduce overall cost of the exercises; and

(4) the Secretary of Defense should develop a plan to increase the use of artificial intelligence during training exercises for members of the Armed Forces to increase training effectiveness and reduce costs.

SA 2980. Mrs. BOXER (for herself, Mr. GRASSLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 238. between lines 15 and 16, insert the following:

(c) REPORT ON ALLOWABLE COSTS OF EMPLOYEE COMPENSATION.—Not later than 120 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to Congress a report on the effect of the modification of allowable costs of contractor compensation of employees made by subsection (a). The report shall include the following:

(1) The total number of contractor employees whose allowable costs of compensation in fiscal year 2012 exceeded the amount of allowable costs under the modification made by subsection (a).

(2) The total number of contractor employees whose allowable costs of compensation in each of fiscal years 2010, 2011, and 2012 would have exceeded the amount of allowable costs under section 2324(e)(1)(P) of title 10, United States Code, as amended by section 803(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1485).

(3) The total number of contractor employees whose allowable costs of compensation in each of fiscal years 2010, 2011, and 2012 exceeded the amount payable to the President under section 102 of title 3, United States Code.

(4) The total number of contractor employees in fiscal year 2012 that could have been characterized as falling within a narrowly targeted exception established by the Secretary of Defense under section 2324(e)(1)(P) of title 10, United States Code, as a result of the amendment made by section 803(a)(2) of the National Defense Authorization Act for Fiscal Year 2012.

(5) An assessment whether the compensation amounts provided in fiscal year 2012 to employees who were characterized by their employers as falling within a narrowly targeted exception described in paragraph (4) were provided compensation amounts in that fiscal year in manner consistent with private sector practice.

(6) The duties and services performed in fiscal year 2012 by employees who were characterized by their employers as falling within a narrowly targeted exception described in paragraph (4).

(7) An assessment whether there are Federal civilian employees who perform duties and services comparable to the duties and services described pursuant to paragraph (6).

SA 2981. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 526. PROHIBITION ON WAIVER FOR COMMISSIONING OR ENLISTMENT IN THE ARMED FORCES FOR ANY INDIVIDUAL CONVICTED OF A FELONY SEXUAL OFFENSE.

An individual may not be provided a waiver for commissioning or enlistment in the Armed Forces if the individual has been convicted under Federal or State law of a felony offense of any of the following:

(1) Rape.

(2) Sexual abuse.

(3) Sexual assault.

(4) Incest.

(5) Any other sexual offense.

SA 2982. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. PROHIBITIONS RELATING TO REFERENCES TO GI BILL AND POST-9/11 GI BILL.

(a) IN GENERAL.—Subchapter II of chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3697B. Prohibition relating to references to GI Bill and Post-9/11 GI Bill

''(a) PROHIBITION.—(1) No person may, except with the written permission of the Secretary, use the words and phrases covered by this subsection in connection with any promotion, goods, services, or commercial activity in a manner reasonably and falsely tending to suggest that such use is approved, endorsed, or authorized by the Department or any component thereof.

''(2) For purposes of this subsection, the words and phrases covered by this subsection are as follows:

''(A) 'GI Bill'.

''(B) 'Post-9/11 GI Bill'.

''(3) A determination that a use of one or more words and phrases covered by this subsection in connection with a promotion, goods, services, or commercial activity is not a violation of this subsection may not be made solely on the ground that such promotion, goods, services, or commercial activity includes a disclaimer of affiliation with the Department or any component thereof.

''(b) ENFORCEMENT BY ATTORNEY GENERAL.—(1) Whenever it appears to the Attorney General of the United States that any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice.

''(2) Such court may, at any time before final determination, enter such restraining orders or prohibitions, or take such other action as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by inserting after the item relating to section 3697A the following new item:

''3697B. Prohibition relating to references to GI Bill and Post-9/11 GI Bill.''.

SA 2983. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 10____. DESIGNATION OF DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL IN RIVERSIDE, CALIFORNIA.

(a) DESIGNATION.—The memorial to members of the Armed Forces who have been awarded the Distinguished Flying Cross at March Field Air Museum in Riverside, California, is designated as the ''Distinguished Flying Cross National Memorial''.

(b) EFFECT OF DESIGNATION.—The national memorial designated by this section is not a unit of the National Park System, and the designation of the national memorial shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial.

SA 2984. Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 10___. WHITE SANDS MISSILE RANGE AND FORT BLISS.

(a) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (3), the Federal land described in paragraph (2) is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in paragraph (1) consists of—

(A) the approximately 5,100 acres of land depicted as ''Parcel 1'' on the map entitled ''White Sands Missile Range/Fort Bliss/BLM Land Transfer and Withdrawal'' and dated April 3, 2012 (referred to in this section as the ''map'');

(B) the approximately 37,600 acres of land depicted as ''Parcel 2'', ''Parcel 3'', and ''Parcel 4'' on the map; and

(C) any land or interest in land that is acquired by the United States within the boundaries of the parcels described in subparagraph (B).

(3) LIMITATION.—Notwithstanding paragraph (1), the land depicted as ''Parcel 4'' on the map is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.

(b) RESERVATION.—The Federal land described in subsection (a)(2)(A) is reserved for use by the Secretary of the Army for military purposes in accordance with Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822).

(c) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Effective on the date of enactment of this Act, administrative jurisdiction over the approximately 2,050 acres of land generally depicted as ''Parcel 2'' on the map—

(1) is transferred from the Secretary of the Army to the Secretary of the Interior (acting through the Director of the Bureau of Land Management); and

(2) shall be managed in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) any other applicable laws.

(d) LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall publish in the Federal Register a legal description of the Federal land withdrawn by subsection (a).

(2) FORCE OF LAW.—The legal description published under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description.

(3) REIMBURSEMENT OF COSTS.—The Secretary of the Army shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior in implementing this subsection with regard to the Federal land described in subsection (a)(2)(A).

SA 2985. Mr. UDALL of Colorado (for himself, Mrs. MURRAY, Mrs. SHAHEEN, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 313.

SA 2986. Mr. CASEY (for himself, Mr. ENZI, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. _____. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(13) NOTIFICATION REQUIREMENT.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer.

''(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that allows a subcontractor to report fraudulent activity by a contractor with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).''.

SA 2987. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 561. TROOPS-TO-TEACHERS PROGRAM ENHANCEMENTS.

(a) FISCAL YEAR 2013 ADMINISTRATION.—Notwithstanding section 2302(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6672(c)), the Secretary of Defense may administer the Troops-to-Teachers Program during fiscal year 2013. Amounts authorized to be appropriated for the Department of Defense by this Act shall be available to the Secretary of Defense for that purpose.

(b) YEARS OF SERVICE REQUIREMENTS.—Section 2303(a)(2)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6673(a)(2)(A)(i)) is amended by striking ''6 or more years'' and inserting ''4 or more years''.

(c) DEFINITION OF LOCAL EDUCATIONAL AGENCY AND PUBLIC CHARTER SCHOOLS.—

(1) AMENDMENT.—Section 2304(a)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6674(a)(1)(B)) is amended to read as follows:

''(B) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or career or technical education teacher for not less than 3 school years with a local educational agency receiving a grant under part A of title I, a public charter school (as such term is defined in section 2102) residing in such a local educational agency, or a Bureau-funded school (as such term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), to begin the school year after obtaining that certification or licensing.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect 30 days after the date of the enactment of this Act.

SA 2988. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1048. MODIFICATION OF RULE OF CONSTRUCTION OF PROHIBITION ON INFRINGING THE INDIVIDUAL RIGHT TO LAWFULLY ACQUIRE, POSSESS, OWN, CARRY, AND USE PRIVATELY OWNED FIREARMS, AMMUNITION, AND OTHER WEAPONS.

Section 1062(c) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4363; 10 U.S.C. 1030 note prec.) is amended—

(1) in paragraph (1)(B), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) make reasonable inquiries regarding the conduct or plans of a member of the Armed Forces for the purposes of suicide prevention, prevention of domestic violence, child protection, day care screening, sexual assault response, school counseling, and similar activities, if the Secretary has reasonable grounds to believe that the member is at high risk for suicide or causing harm to others.''.

SA 2989. Mrs. MURRAY (for herself and Mr. BURR) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. EXTENSION OF AUTHORITIES TO CARRY OUT A PROGRAM OF REFERRAL AND COUNSELING SERVICES TO VETERANS AT RISK OF HOMELESSNESS WHO ARE TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023(d) of title 38, United States Code, is amended by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SA 2990. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—NUCLEAR TERRORISM CONVENTIONS AND MARITIME SAFETY

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Nuclear Terrorism Conventions Implementation and Safety of Maritime Navigation Act of 2012''.

Subtitle A—Safety of Maritime Navigation

SEC. ____11. AMENDMENT TO SECTION 2280 OF TITLE 18, UNITED STATES CODE.

Section 2280 of title 18, United States Code, is amended—

(1) in subsection (b)(1)(A)—

(A) in clause (i), by striking ''a ship flying the flag of the United States'' and inserting ''a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46)'';

(B) in clause (ii), by inserting '', including the territorial seas'' after ''in the United States''; and

(C) in clause (iii), by inserting '', by a United States corporation or legal entity,'' after ''by a national of the United States'';

(2) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)''; and

(3) by striking subsections (d) and (e) and inserting the following:

''(d) DEFINITIONS.—In this section and in sections 2280a, 2281, and 2281a:

''(1) APPLICABLE TREATY.—The term 'applicable treaty' means—

''(A) the Convention for the Suppression of Unlawful Seizure of Aircraft, done at The Hague on 16 December 1970;

''(B) the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 23 September 1971;

''(C) the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973;

''(D) International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979;

''(E) the Convention on the Physical Protection of Nuclear Material, done at Vienna on 26 October 1979;

''(F) the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal on 24 February 1988;

''(G) the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

''(H) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997; and

''(I) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999.

''(2) ARMED CONFLICT.—The term 'armed conflict' does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

''(3) BIOLOGICAL WEAPON.—The term 'biological weapon' means—

''(A) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes; or

''(B) weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

''(4) CHEMICAL WEAPON.—The term 'chemical weapon' means, together or separately—

''(A) toxic chemicals and their precursors, except if intended for—

''(i) industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes;

''(ii) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;

''(iii) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; or

''(iv) law enforcement, including domestic riot control purposes, if the types and quantities are consistent with such purposes;

''(B) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in subparagraph (A), which would be released as a result of the employment of such munitions and devices; and

''(C) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in subparagraph (B).

''(5) COVERED SHIP.—The term 'covered ship' means a ship that is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country.

''(6) EXPLOSIVE MATERIALS.—The term 'explosive materials' has the meaning given the term in section 841(c) and includes an explosive (as defined in section 844(j)).

''(7) INFRASTRUCTURE FACILITY.—The term 'infrastructure facility' has the meaning given the term in section 2332f(e)(5).

''(8) INTERNATIONAL ORGANIZATION.—The term 'international organization' has the meaning given the term in section 831(f)(3).

''(9) MILITARY FORCES OF A STATE.—The term 'military forces of a state' means the armed forces of a state which are organized, trained, and equipped under its internal law for the primary purpose of national defense or security, and persons acting in support of those armed forces who are under their formal command, control, and responsibility.

''(10) NATIONAL OF THE UNITED STATES.—The term 'national of the United States' has the meaning given the term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

''(11) NON-PROLIFERATION TREATY.—The term 'Non-Proliferation Treaty' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow on 1 July 1968.

''(12) NON-PROLIFERATION STATE PARTY.—The term 'Non-Proliferation Treaty State Party' means any State Party to the Non-Proliferation Treaty, to include Taiwan, which shall be considered to have the obligations under the Non-Proliferation Treaty of a party to that treaty other than a Nuclear Weapon State Party to the Non-Proliferation Treaty.

''(13) NUCLEAR WEAPON STATE PARTY TO THE NON-PROLIFERATION TREATY.—The term 'Nuclear Weapon State Party to the Non-Proliferation Treaty' means a State Party to the Non-Proliferation Treaty that is a nuclear-weapon State, as that term is defined in Article IX(3) of the Non-Proliferation Treaty.

''(14) PLACE OF PUBLIC USE.—The term 'place of public use' has the meaning given the term in section 2332f(e)(6).

''(15) PRECURSOR.—The term 'precursor' has the meaning given the term in section 229F(6)(A).

''(16) PUBLIC TRANSPORTATION SYSTEM.—The term 'public transportation system' has the meaning given the term in section 2332f(e)(7).

''(17) SERIOUS INJURY OR DAMAGE.—The term 'serious injury or damage' means—

''(A) serious bodily injury,

''(B) extensive destruction of a place of public use, State or government facility, infrastructure facility, or public transportation system, resulting in major economic loss, or

''(C) substantial damage to the environment, including air, soil, water, fauna, or flora.

''(18) SHIP.—The term 'ship' means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft, but does not include a warship, a ship owned or operated by a government when being used as a naval auxiliary or for customs or police purposes, or a ship which has been withdrawn from navigation or laid up.

''(19) SOURCE MATERIAL.—The term 'source material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956.

''(20) SPECIAL FISSIONABLE MATERIAL.—The term 'special fissionable material' has the meaning given that term in the International Atomic Energy Agency Statute, done at New York on 26 October 1956.

''(21) TERRITORIAL SEA OF THE UNITED STATES.—The term 'territorial sea of the United States' means all waters extending seaward to 12 nautical miles from the baselines of the United States determined in accordance with international law.

''(22) TOXIC CHEMICAL.—The term 'toxic chemical' has the meaning given the term in section 229F(8)(A).

''(23) TRANSPORT.—The term 'transport' means to initiate, arrange or exercise effective control, including decision making authority, over the movement of a person or item.

''(24) UNITED STATES.—The term 'United States', when used in a geographical sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and all territories and possessions of the United States.

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(f) DELIVERY OF SUSPECTED OFFENDER.—The master of a covered ship flying the flag of the United States who has reasonable grounds to believe that there is on board that ship any person who has committed an offense under section 2280 or section 2280a may deliver such person to the authorities of a country that is a party to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Before delivering such person to the authorities of another country, the master shall notify in an appropriate manner the Attorney General of the United States of the alleged offense and await instructions from the Attorney General as to what action to take. When delivering the person to a country which is a state party to the Convention, the master shall, whenever practicable, and if possible before entering the territorial sea of such country, notify the authorities of such country of the master's intention to deliver such person and the reasons therefor. If the master delivers such person, the master shall furnish to the authorities of such country the evidence in the master's possession that pertains to the alleged offense.

''(g)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

SEC. ___12. VIOLENCE AGAINST MARITIME NAVIGATION.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2280 the following:

''§ 2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction

''(a) OFFENSES.—

''(1) IN GENERAL.—Subject to the exceptions set forth in subsection (c), a person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a ship or discharges from a ship any explosive or radioactive material, biological, chemical, or nuclear weapon or other nuclear explosive device in a manner that causes or is likely to cause death to any person or serious injury or damage;

''(ii) discharges from a ship oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death to any person or serious injury or damage; or

''(iii) uses a ship in a manner that causes death to any person or serious injury or damage;

''(B) transports on board a ship—

''(i) any explosive or radioactive material, knowing that it is intended to be used to cause, or in a threat to cause, death to any person or serious injury or damage for the purpose of intimidating a population, or compelling a government or an international organization to do or to abstain from doing any act;

''(ii) any biological, chemical, or nuclear weapon or other nuclear explosive device, knowing it to be a biological, chemical, or nuclear weapon or other nuclear explosive device;

''(iii) any source material, special fissionable material, or equipment or material especially designed or prepared for the processing, use, or production of special fissionable material, knowing that it is intended to be used in a nuclear explosive activity or in any other nuclear activity not under safeguards pursuant to an International Atomic Energy Agency comprehensive safeguards agreement, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of the Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(iv) any equipment, materials, or software or related technology that significantly contributes to the design or manufacture of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, unless—

''(I) the country to the territory of which or under the control of which such item is transferred is a Nuclear Weapon State Party to the Non-Proliferation Treaty; and

''(II) the resulting transfer or receipt (including internal to a country) is not contrary to the obligations under the Non-Proliferation Treaty of a Non-Proliferation Treaty State Party from which, to the territory of which, or otherwise under the control of which such item is transferred;

''(v) any equipment, materials, or software or related technology that significantly contributes to the delivery of a nuclear weapon or other nuclear explosive device, with the intention that it will be used for such purpose, except where—

''(I) such item is transported to or from the territory of, or otherwise under the control of, a Non-Proliferation Treaty State Party; and

''(II) such item is intended for the delivery system of a nuclear weapon or other nuclear explosive device of a Nuclear Weapon State Party to the Non-Proliferation Treaty; or

''(vi) any equipment, materials, or software or related technology that significantly contributes to the design, manufacture, or delivery of a biological or chemical weapon, with the intention that it will be used for such purpose;

''(C) transports another person on board a ship knowing that the person has committed an act that constitutes an offense under section 2280 or subparagraphs (A), (B), (D), or (E) of this paragraph or an offense set forth in an applicable treaty, as specified in section 2280(d)(1), and intending to assist that person to evade criminal prosecution;

''(D) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraphs (A) through (C), or subsection (a)(2), to the extent that the offense set forth in subsection (a)(2) pertains to subparagraph (A);

''(E) attempts to do any act prohibited under subparagraph (A), (B), or (D); or

''(F) conspires to do any act prohibited under this subsection,

shall be fined under this title, imprisoned not more than 20 years, or both; and if the death of any person results from conduct prohibited by this paragraph, shall be punished by death or imprisoned for any term of years or for life.

''(2) THREATS.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A) shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited under subsection (a)—

''(1) in the case of a covered ship, if—

''(A) such activity is committed—

''(i) against or on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) at the time the prohibited activity is committed;

''(ii) in the United States, including the territorial seas; or

''(iii) by a national of the United States, by a United States corporation or legal entity, or by a stateless person whose habitual residence is in the United States;

''(B) during the commission of such activity, a national of the United States is seized, threatened, injured, or killed; or

''(C) the offender is later found in the United States after such activity is committed;

''(2) in the case of a ship navigating or scheduled to navigate solely within the territorial sea or internal waters of a country other than the United States, if the offender is later found in the United States after such activity is committed; or

''(3) in the case of any vessel, if such activity is committed in an attempt to compel

the United States to do or abstain from doing any act.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d)(1) CIVIL FORFEITURE.—Any real or personal property used or intended to be used to commit or to facilitate the commission of a violation of this section, the gross proceeds of such violation, and any real or personal property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this section shall be governed by the provisions of chapter 46 relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security, the Attorney General, or the Secretary of Defense.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2280 the following:

''2280a. Violence against maritime navigation and maritime transport involving weapons of mass destruction.''.

SEC. ___13. EXCEPTIONS TO LAW PROHIBITING VIOLENCE AGAINST MARITIME FIXED PLATFORMS.

Section 2281 of title 18, United States Code, is amended—

(1) in subsection (c), by striking ''section 2(c)'' and inserting ''section 13(c)'';

(2) in subsection (d), by striking the definitions of ''national of the United States,'' ''territorial sea of the United States,'' and ''United States''; and

(3) by adding at the end the following:

''(e) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''.

SEC. ___14. ADDITIONAL OFFENSES AGAINST MARITIME FIXED PLATFORMS.

(a) IN GENERAL.—Chapter 111 of title 18, United States Code, is amended by adding after section 2281 the following:

''§ 2281a. Additional offenses against maritime fixed platforms

''(a) OFFENSES.—

''(1) IN GENERAL.—A person who unlawfully and intentionally—

''(A) when the purpose of the act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act—

''(i) uses against or on a fixed platform or discharges from a fixed platform any explosive or radioactive material, biological, chemical, or nuclear weapon in a manner that causes or is likely to cause death or serious injury or damage; or

''(ii) discharges from a fixed platform oil, liquefied natural gas, or another hazardous or noxious substance that is not covered by clause (i), in such quantity or concentration that causes or is likely to cause death or serious injury or damage;

''(B) injures or kills any person in connection with the commission or the attempted commission of any of the offenses set forth in subparagraph (A); or

''(C) attempts or conspires to do anything prohibited under subparagraph (A) or (B),

shall be fined under this title, imprisoned not more than 20 years, or both; and if death results to any person from conduct prohibited by this paragraph, shall be punished by death or imprisoned for any term of years or for life.

''(2) THREAT TO SAFETY.—A person who threatens, with apparent determination and will to carry the threat into execution, to do any act prohibited under paragraph (1)(A), shall be fined under this title, imprisoned not more than 5 years, or both.

''(b) JURISDICTION.—There is jurisdiction over the activity prohibited under subsection (a) if—

''(1) such activity is committed against or on board a fixed platform—

''(A) that is located on the continental shelf of the United States;

''(B) that is located on the continental shelf of another country, by a national of the United States or by a stateless person whose habitual residence is in the United States; or

''(C) in an attempt to compel the United States to do or abstain from doing any act;

''(2) during the commission of such activity against or on board a fixed platform located on a continental shelf, a national of the United States is seized, threatened, injured, or killed; or

''(3) such activity is committed against or on board a fixed platform located outside the United States and beyond the continental shelf of the United States and the offender is later found in the United States.

''(c) EXCEPTIONS.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(d) DEFINITIONS.—In this section:

''(1) CONTINENTAL SHELF.—The term 'continental shelf' means the sea-bed and subsoil of the submarine areas that extend beyond a country's territorial sea to the limits provided by customary international law as reflected in Article 76 of the 1982 Convention on the Law of the Sea.

''(2) FIXED PLATFORM.—The term 'fixed platform' means an artificial island, installation, or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 111 of title 18, United States Code, is amended by adding after the item relating to section 2281 the following:

''2281a. Additional offenses against maritime fixed platforms.''.

SEC. ___15. ANCILLARY MEASURES.

(a) FEDERAL CRIME OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended, by striking ''2281'' and inserting ''2280a (relating to maritime safety), 2281 through 2281a''.

(b) PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATE.—Section 2339A(a) of title 18, United States Code, is amended by striking, ''2280, 2281'' and inserting, ''2280, 2280a, 2281, 2281a''

(c) WIRETAP PREDICATES.—Section 2516(1)(q) of title 18, United States Code, is amended by striking ''or section'' and inserting '', section 2280, 2280a, 2281, or 2281(a) (relating to maritime safety), or section''.

Subtitle B—Prevention of Nuclear Terrorism

SEC. ___21. ACTS OF NUCLEAR TERRORISM.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding after section 2332h the following:

''§ 2332i. Acts of nuclear terrorism

''(a) OFFENSES.—

''(1) IN GENERAL.—Any person who knowingly and unlawfully—

''(A) possesses radioactive material or makes or possesses a device—

''(i) with the intent to cause death or serious bodily injury; or

''(ii) with the intent to cause substantial damage to property or the environment; or

''(B) uses in any way radioactive material or a device, or uses or damages or interferes with the operation of a nuclear facility in a manner that causes the release of or increases the risk of the release of radioactive material, or causes radioactive contamination or exposure to radiation—

''(i) with the intent to cause death or serious bodily injury or with the knowledge that such act is likely to cause death or serious bodily injury;

''(ii) with the intent to cause substantial damage to property or the environment or with the knowledge that such act is likely to cause substantial damage to property or the environment; or

''(iii) with the intent to compel a person, an international organization or a country to do or refrain from doing an act,

shall be punished as prescribed in subsection (c).

''(2) THREATS.—Any person who, under circumstances in which the threat may reasonably be believed, threatens to commit an offense under paragraph (1) shall be punished as prescribed in subsection (c). Whoever demands possession of or access to radioactive material, a device or a nuclear facility by threat or by use of force shall be punished as prescribed in subsection (c).

''(3) ATTEMPTS AND CONSPIRACIES.—Any person who attempts to commit an offense under paragraph (1) or conspires to commit an offense under paragraphs (1) or (2) shall be punished as prescribed in subsection (c).

''(b) JURISDICTION.—Conduct prohibited by subsection (a) is within the jurisdiction of the United States if—

''(1) the prohibited conduct takes place in the United States or the special aircraft jurisdiction of the United States;

''(2) the prohibited conduct takes place outside of the United States and—

''(A) is committed by a national of the United States, a United States corporation or legal entity or a stateless person whose habitual residence is in the United States;

''(B) is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed; or

''(C) is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States;

''(3) the prohibited conduct takes place outside of the United States and a victim or an intended victim is a national of the United States or a United States corporation or legal entity, or the offense is committed against any state or government facility of the United States; or

''(4) a perpetrator of the prohibited conduct is found in the United States.

''(c) PENALTIES.—Any person who violates this section shall be punished by death or imprisoned for any term of years or for life.

''(d) NONAPPLICABILITY.—This section does not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.

''(e) DEFINITIONS.—In this section:

''(1) ARMED CONFLICT.—The term 'armed conflict' has the meaning given that term in section 2332f(e)(11).

''(2) DEVICE.—The term 'device' means—

''(A) any nuclear explosive device; or

''(B) any radioactive material dispersal or radiation-emitting device that may, owing to its radiological properties, cause death, serious bodily injury or substantial damage to property or the environment.

''(3) INTERNATIONAL ORGANIZATION.—The term 'international organization' has the meaning given the term in section 831(f)(3).

''(4) MILITARY FORCES OF A STATE.—The term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility.

''(5) NATIONAL OF THE UNITED STATES.—The term 'national of the United States' has the meaning given the term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

''(6) NUCLEAR FACILITY.—The term 'nuclear facility' means—

''(A) any nuclear reactor, including reactors on vessels, vehicles, aircraft or space objects for use as an energy source in order to propel such vessels, vehicles, aircraft or space objects or for any other purpose;

''(B) any plant or conveyance being used for the production, storage, processing or transport of radioactive material; or

''(C) a facility (including associated buildings and equipment) in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material.

''(7) NUCLEAR MATERIAL.—The term 'nuclear material' has the meaning given the term in section 831(f)(1).

''(8) RADIOACTIVE MATERIAL.—The term 'radioactive material' means nuclear material and other radioactive substances that contain nuclides that undergo spontaneous disintegration (a process accompanied by emission of one or more types of ionizing radiation, such as alpha-, beta-, neutron particles and gamma rays) and that may, owing to their radiological or fissile properties, cause death, serious bodily injury or substantial damage to property or to the environment.

''(9) SERIOUS BODILY INJURY.—The term 'serious bodily injury' has the meaning given the term in section 831(f)(4).

''(10) STATE.—The term 'state' has the meaning given the term under international law, and includes all political subdivisions of the state.

''(11) STATE OR GOVERNMENT FACILITY.—The term 'state or government facility' has the meaning given the term in section 2332f(e)(3).

''(12) UNITED STATES CORPORATION OR LEGAL ENTITY.—The term 'United States corporation or legal entity' means any corporation or other entity organized under the laws of the United States or any State, Commonwealth, territory, possession or district of the United States.

''(13) VESSEL.—The term 'vessel' has the meaning given the term in section 1502(19) of title 33.

''(14) VESSEL OF THE UNITED STATES.—The term 'vessel of the United States' has the meaning given the term in section 70502 of title 46.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 113B of title 18, United States Code, is amended by inserting after section 2332h the following:

''2332i. Acts of nuclear terrorism.''.

(c) DISCLAIMER.—Nothing contained in this section is intended to affect the applicability of any other Federal or State law that might pertain to the underlying conduct.

SEC. ___22. AMENDMENT TO SECTION 831 OF TITLE 18, UNITED STATES CODE.

Section 831 of title 18, United States Code, is amended—

(a) in subsection (a)—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively;

(2) by inserting after paragraph (2) the following:

''(3) without lawful authority, intentionally carries, sends or moves nuclear material into or out of a country;'';

(3) in paragraph (8), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (5)''; and

(4) in paragraph (9), as redesignated, by striking ''an offense under paragraph (1), (2), (3), or (4)'' and inserting ''any act prohibited under paragraphs (1) through (7)'';

(b) in subsection (b)—

(1) in paragraph (1), by striking ''(7)'' and inserting ''(8)''; and

(2) in paragraph (2), by striking ''(8)'' and inserting ''(9)'';

(c) in subsection (c)—

(1) in subparagraph (2)(A), by inserting ''or a stateless person whose habitual residence is in the United States'' after ''United States'';

(2) in paragraph (4), by striking ''or'' at the end; and

(3) by striking paragraph (5) and inserting the following:

''(5) the offense is committed on board a vessel of the United States or a vessel subject to the jurisdiction of the United States (as defined in section 70502 of title 46) or on board an aircraft that is registered under United States law, at the time the offense is committed;

''(6) the offense is committed outside the United States and against any state or government facility of the United States; or

''(7) the offense is committed in an attempt to compel the United States to do or abstain from doing any act, or constitutes a threat directed at the United States.'';

(d) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively;

(e) by inserting after subsection (c) the following:

''(d) NONAPPLICABILITY.—This section shall not apply to—

''(1) the activities of armed forces during an armed conflict, as those terms are understood under the law of war, which are governed by that law; or

''(2) activities undertaken by military forces of a state in the exercise of their official duties.''; and

(f) in subsection (g), as redesignated—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (7), the following:

''(8) the term 'armed conflict' has the meaning given the term in section 2332f(e)(11);

''(9) the term 'military forces of a state' means the armed forces of a country that are organized, trained and equipped under its internal law for the primary purpose of national defense or security and persons acting in support of those armed forces who are under their formal command, control and responsibility;

''(10) the term 'state' has the meaning given the term under international law, and includes all political subdivisions of the state;

''(11) the term 'state or government facility' has the meaning given the term in section 2332f(e)(3); and

''(12) the term 'vessel of the United States' has the meaning given the term in section 70502 of title 46.''.

SEC. ___23. ANCILLARY MEASURES.

(a) FEDERAL CRIME OF TERRORISM.—Section 2332b(g)(5)(B) of title 18, United States Code, is amended by inserting ''2332i (relating to acts of nuclear terrorism),'' before ''2339 (relating to harboring terrorists),''.

(b) PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATE.—Section 2339A(a) of title 18, United States Code, is amended by inserting ''2332i,'' before ''2340A,''.

(c) WIRETAP PREDICATES.—Section 2516(1)(q) of title 18, United States Code, is amended by inserting '', 2332i,'' after ''2332h''.

SA 2991. Mr. HOEVEN (for himself, Mr. TESTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. SENSE OF SENATE ON THE MAINTENANCE BY THE UNITED STATES OF A TRIAD OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

(a) FINDINGS.—The Senate finds the following:

(1) The April 2010 Nuclear Posture Review concluded that even with the reductions specified in the New START Treaty, the United States should retain a nuclear ''Triad'' of land-based intercontinental ballistic missiles, submarine-launched ballistic missiles and nuclear capable heavy bombers, noting that ''[r]etaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities''.

(2) The resolution of ratification for the New START Treaty, which the Senate approved on December 22, 2010, stated that ''it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems''.

(3) In a message to the Senate on February 2, 2011, President Obama certified that he intended to ''modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM'' and to ''maintain the United States rocket motor industrial base''.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States should maintain a triad of strategic nuclear delivery systems; and

(2) the United States is committed to modernizing the component weapons and delivery systems of that triad.

SA 2992. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1074. MAINTENANCE OF ICBM LAUNCH FACILITY INVENTORY.

Consistent with the treaty obligations of the United States, the Secretary of Defense shall maintain an inventory of 450 operational intercontinental ballistic missile launch facilities whether in deployed or nondeployed status.

SA 2993. Mrs. GILLIBRAND (for herself, Mr. LIEBERMAN, Mr. BLUMENTHAL, Mr. KERRY, Mr. BROWN of Massachusetts, Mr. BEGICH, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. CERTAIN TREATMENT OF AUTISM UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) In providing health care under subsection (a) to a covered beneficiary described in paragraph (3)(A), the treatment of autism spectrum disorders shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

''(2) In carrying out this subsection, the Secretary shall ensure that—

''(A) except as provided by subparagraph (B), a person who is authorized to provide behavioral health treatment is licensed or certified by a State or accredited national certification board; and

''(B) if applied behavior analysis or other behavioral health treatment is provided by an employee or contractor of a person described in subparagraph (A), the employee or contractor shall meet minimum qualifications, training, and supervision requirements as set forth by the Secretary who shall ensure that covered beneficiaries have appropriate access to care in accordance with best practice guidelines.

''(3)(A) A covered beneficiary described in this subparagraph is a covered beneficiary who is a beneficiary by virtue of—

''(i) service in the armed forces (not including the Coast Guard);

''(ii) current service on active duty in the Coast Guard, or those members of the Coast Guard Reserve who are enrolled in the TRICARE program;

''(iii) current service on active duty in the Commissioned Corps of the National Oceanic and Atmospheric Administration or the Commissioned Corps of the Public Health Service; or

''(iv) being a dependent of a member covered by clause (i) or of a member of a service covered by clause (ii) or (iii).

''(B) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits otherwise provided under this chapter to a covered beneficiary who is a beneficiary by virtue of—

''(i) service in the Coast Guard, the Commissioned Corp of the National Oceanic and Atmospheric Administration, or the Commissioned Corp of the Public Health Service; or

''(ii) being a dependent of a member of a service described in clause (i).

''(C) This subsection shall not apply to a medicare-eligible beneficiary (as defined in section 1111(b) of this title).

''(D) Except as provided in subparagraph (C), nothing in this subsection shall be construed as limiting or otherwise affecting the benefits provided to a medicare-eligible beneficiary under—

''(i) this chapter;

''(ii) part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.); or

''(iii) any other law.''.

(b) FUNDING.—

(1) INCREASE.—The amount authorized to be appropriated for fiscal year 2013 by section 1406 and available for the Defense Health Program for Private Sector Care as specified in the funding table in section 4501 is hereby increased by $30,000,000, with the amount of the increase to be available for the provision of care in accordance with subsection (g) of section 1077 of title 10, United States Code (as added by subsection (a) of this section).

(2) OFFSET.—The amount authorized to be appropriated for fiscal year 2013 by section 301 for Operation and Maintenance and available as specified in the funding table in section 4301 is hereby reduced by $30,000,000.

SA 2994. Mr. CASEY (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1064. REPORT ON PROGRAM ON RETURN OF RARE EARTH PHOSPHORS FROM DEPARTMENT OF DEFENSE FLUORESCENT LIGHTING WASTE TO THE DOMESTIC RARE EARTH SUPPLY CHAIN.

(a) FINDINGS.—Congress makes the following findings:

(1) In its December 2011 report entitled ''Critical Materials Strategy'', the Department of Energy states that the heavy rare earth phosphors, dysprosium, europium, terbium, and yttrium, are particularly important given their relative scarcity and their importance to clean energy, energy efficiency, hybrid and electric vehicles, and advanced defense systems, among other key technologies.

(2) While new sources of production of rare earth elements show promise, these are focused primarily on the light rare earth elements.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the recycling of end-use technologies that use rare earth elements can provide near-term opportunities to recapture, reprocess, and reuse some of the rare earth elements contained in them;

(2) fluorescent lighting materials could prove to be a promising recyclable source of heavy rare earth elements;

(3) a cost-benefit analysis would be helpful in determining the viability of a Department of Defense program to recycle fluorescent lighting waste in order to increase its supplies of heavy rare earth elements; and

(4) the recycling of heavy rare earth elements may be one component of a long term strategic plan to address the global demand for such elements, without which such elements could be unnecessarily lost.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report on the results of a cost-benefit analysis on, and on recommendations concerning, the feasibility and advisability of establishing a program within the Department of Defense to—

(A) recapture fluorescent lighting waste; and

(B) make such waste available to entities that have the ability to extract rare earth phosphors, reprocess and separate them in an environmentally safe manner, and return them to the domestic rare earth supply chain.

(2) ELEMENTS.—The report required by paragraph (1) shall include analysis of measures that could be taken to—

(A) provide for the disposal and mitigation of residual mercury and other hazardous byproducts to be produced by the recycling process; and

(B) address concerns regarding the potential export of heavy rare earth materials obtained from United States Government sources to non-allied nations.

SA 2995. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1048. ENHANCEMENT OF AUTHORITIES ON ADMISSION OF DEFENSE INDUSTRY CIVILIANS TO CERTAIN DEPARTMENT OF DEFENSE EDUCATIONAL INSTITUTIONS AND PROGRAMS.

(a) NAVY DEFENSE PRODUCT DEVELOPMENT PROGRAM.—Section 7049(a) of title 10, United States Code, is amended—

(1) in the second sentence, by inserting ''or professional continuing education certificate'' after ''master's degree'';

(2) in the third sentence, by striking ''125 such defense industry employees'' and inserting ''250 such defense industry employees''; and

(3) in the last sentence, by inserting before the period at the end the following: ''or an appropriate professional continuing education certificate, as applicable''.

(b) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Section 9314a(a) of such title is amended—

(1) in paragraph (1), by inserting ''or professional continuing education certificate'' after ''graduate degree'';

(2) in paragraph (2), by striking ''125 defense industry employees'' and inserting ''250 defense industry employees''; and

(3) in paragraph (3), by inserting before the period at the end the following: ''or an appropriate professional continuing education certificate, as applicable''.

SA 2996. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 590, strike line 11 and all that follows through page 595, line 7, and insert the following:

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Maritime Administration Authorization Act for Fiscal Year 2013''.

SEC. 3502. CONTAINER-ON-BARGE TRANSPORTATION.

(a) ASSESSMENT.—The Administrator of the Maritime Administration shall assess the potential for using container-on-barge transportation in short sea transportation (as such term is defined in section 55605 of title 46, United States Code).

(b) FACTORS.—In conducting the assessment under subsection (a), the Administrator shall consider—

(1) the environmental benefits of increasing container-on-barge movements in short sea transportation;

(2) the regional differences in the use of short sea transportation;

(3) the existing programs established at coastal and Great Lakes ports for establishing awareness of deep sea shipping operations;

(4) the mechanisms necessary to ensure that implementation of a plan under subsection (c) will not be inconsistent with antitrust laws; and

(5) the potential frequency of container-on-barge service at short sea transportation ports.

(c) RECOMMENDATIONS.—The assessment under subsection (a) may include recommendations for a plan to increase awareness of the potential for use of container-on-barge transportation.

(d) DEADLINE.—Not later than 180 days after the date of enactment of this title, the Administrator shall submit the assessment required under this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 3503. SHORT SEA TRANSPORTATION.

(a) PURPOSE.—Section 55601 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''landside congestion.'' and inserting ''landside congestion or to promote short sea transportation.'';

(2) in subsection (c), by striking ''coastal corridors'' and inserting ''coastal corridors or to promote short sea transportation'';

(3) in subsection (d), by striking ''that the project may'' and all that follows through the end of the subsection and inserting ''that the project uses documented vessels and—

''(1) mitigates landside congestion; or

''(2) promotes short sea transportation.''; and

(4) in subsection (f), by striking ''shall'' each place it appears and inserting ''may''.

(b) DOCUMENTATION.—Section 55605 of title 46, United States Code, is amended in the matter preceding paragraph (1) by striking ''by vessel'' and inserting ''by a documented vessel''.

SEC. 3504. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE.

(a) IN GENERAL.—Chapter 503 of title 46, United States Code, is amended by adding at the end the following:

''§ 50307. Maritime environmental and technical assistance

''(a) IN GENERAL.—The Secretary of Transportation may engage in the environmental study, research, development, assessment, and deployment of emerging marine technologies and practices related to the marine transportation system through the use of public vessels under the control of the Maritime Administration or private vessels under Untied States registry, and through partnerships and cooperative efforts with academic, public, private, and non-governmental entities and facilities.

''(b) REQUIREMENTS.—The Secretary of Transportation may—

''(1) identify, study, evaluate, test, demonstrate, or improve emerging marine technologies and practices that are likely to achieve environmental improvements by—

''(A) reducing air emissions, water emissions, or other ship discharges;

''(B) increasing fuel economy or the use of alternative fuels and alternative energy (including the use of shore power); or

''(C) controlling aquatic invasive species; and

''(2) coordinate with the Environmental Protection Agency, the United States Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.

''(c) COORDINATION.—Coordination under subsection (b)(2) may include—

''(1) activities that are associated with the development or approval of validation and testing regimes; and

''(2) certification or validation of emerging technologies or practices that demonstrate significant environmental benefits.

''(d) ASSISTANCE.—The Secretary of Transportation may accept gifts, or enter into cooperative agreements, contracts, or other agreements with academic, public, private, and non-governmental entities to carry out the activities authorized under subsection (a).''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 503 of title 46, United States Code, is amended by inserting after the item relating to section 50306 the following:

''50307. Maritime environmental and technical assistance.''.

SEC. 3505. IDENTIFICATION OF ACTIONS TO ENABLE QUALIFIED UNITED STATES FLAG CAPACITY TO MEET NATIONAL DEFENSE REQUIREMENTS.

Section 501(b) of title 46, United States Code, is amended—

(1) by striking ''When the head'' and inserting the following:

''(1) IN GENERAL.—When the head''; and

(2) by adding at the end the following:

''(2) DETERMINATIONS.—The Maritime Administrator shall—

''(A) for each determination referred to in paragraph (1), identify any actions that could be taken to enable qualified United States flag capacity to meet national defense requirements;

''(B) provide notice of each such determination to the Secretary of Transportation and the head of the agency referred to in paragraph (1) for which the determination is made; and

''(C) publish each such determination on the Internet Web site of the Department of Transportation not later than 48 hours after notice of the determination is provided to the Secretary of Transportation.

''(3) NOTICE TO CONGRESS.—

''(A) IN GENERAL.—The head of an agency referred to in paragraph (1) shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

''(i) of any request for a waiver of the navigation or vessel-inspection laws under this section not later than 48 hours after receiving such a request; and

''(ii) of the issuance of any such waiver not later than 48 hours after such issuance.

''(B) CONTENTS.—Such head of an agency shall include in each notification under subparagraph (A)(ii) an explanation of—

''(i) the reasons the waiver is necessary; and

''(ii) the reasons actions referred to in paragraph (2)(A) are not feasible.''.

SEC. 3506. MARITIME WORKFORCE STUDY.

(a) TRAINING STUDY.—The Comptroller General of the United States shall conduct a study on the training needs of the maritime workforce.

(b) STUDY COMPONENTS.—The study shall—

(1) analyze the impact of maritime training requirements imposed by domestic and international regulations and conventions, companies, and government agencies that charter or operate vessels;

(2) evaluate the ability of the United States maritime training infrastructure to meet the needs of the maritime industry;

(3) identify trends in maritime training;

(4) compare the training needs of United States mariners with the vocational training and educational assistance programs available from Federal agencies to evaluate the ability of Federal programs to meet the training needs of United States mariners;

(5) include recommendations to enhance the capabilities of the United States maritime training infrastructure; and

(6) include recommendations to assist United States mariners and those entering the maritime profession to achieve the required training.

(c) FINAL REPORT.—Not later than 1 year after the date of enactment of this title, the Comptroller General shall submit a report on the results of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 3507. MARITIME ADMINISTRATION VESSEL RECYCLING CONTRACT AWARD PRACTICES.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this title, the Comptroller General of the Government Accountability Office shall conduct an assessment of the source selection procedures and practices used to award the Maritime Administration's National Defense Reserve Fleet vessel recycling contracts. The Comptroller General shall assess the process, procedures, and practices used for the Maritime Administration's qualification of vessel recycling facilities. The Comptroller General shall report the findings to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(b) ASSESSMENT.—The assessment under subsection (a) shall include a review of whether the Maritime Administration's contract source selection procedures and practices are consistent with law, the Federal Acquisition Regulations (FAR), and Federal best practices associated with making source selection decisions.

(c) CONSIDERATIONS.—In making the assessment under subsection (a), the Comptroller

General may consider any other aspect of the Maritime Administration's vessel recycling process that the Comptroller General deems appropriate to review.

SEC. 3508. REQUIREMENT FOR BARGE DESIGN.

Not later than 270 days after the date of enactment of this title, the Administrator of the Maritime Administration shall complete the design for a containerized, articulated barge, as identified in the dual-use vessel study carried out by the Administrator and the Secretary of Defense, that is able to utilize roll-on/roll-off or load-on/load-off technology in marine highway maritime commerce.

SEC. 3509. ELIGIBILITY TO RECEIVE SURPLUS TRAINING EQUIPMENT.

Section 51103(b)(2)(C) of title 46, United States Code, is amended by inserting ''or a training institution that is an instrumentality of a State, Territory, or Commonwealth of the United States or District of Columbia or a unit of local government thereof'' after ''a non-profit training institution''.

SA 2997. Mr. CASEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1048. TRANSITION ASSISTANCE ADVISOR PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by inserting after section 1144 the following new section:

''§ 1144A. Transition Assistance Advisors

''(a) IN GENERAL.—The Secretary of Defense shall establish as part of the Transition Assistance Program (TAP) a Transition Assistance Advisor (TAA) program to provide professionals in each State to serve as statewide points of contact to assist members of the armed forces in accessing benefits and health care furnished under laws administered by the Secretary of Defense and benefits and health care furnished under laws administered by the Secretary of Veterans Affairs.

''(b) NUMBER OF ADVISORS.—The Secretary of Defense shall ensure that the minimum number of Transition Assistance Advisors in each State is as follows:

''(1) During the period beginning 180 days before the commencement of a contingency operation (or, if later, as soon before as is otherwise practicable) and ending 180 days after the conclusion of such contingency operation—

''(A) in the case of a State with fewer than 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States residing in the State, not less than one Transition Assistance Advisor; and

''(B) in the case of a State with 1,500 or more members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State, not less than one Transition Assistance Advisor for each 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State.

''(2) At any time not covered by paragraph (1)—

''(A) in the case of a State with fewer than 5,000 members of the Army National Guard of the United States and the Air National Guard of the United States residing in the State, not less than one Transition Assistance Advisor; and

''(B) in the case of a State with 5,000 or more members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State, not less than one Transition Assistance Advisor for each 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State.

''(c) DUTIES.—The duties of a Transition Assistance Advisor includes the following:

''(1) To assist with the creation and execution of individual transition plans for members of the National Guard described in subsection (d)(2) and their families for the reintegration of such members into civilian life.

''(2) To provide employment support services to members of the National Guard and their families, including assistance with discovering employment opportunities and identifying and obtaining assistance from programs within and outside of the Federal Government.

''(3) Provide information on relocation, health care, mental health care, and financial support services available to members of the National Guard or their families from the Department of Defense, the Department of Veterans Affairs, and other Federal, State, and local agencies.

''(4) Provide information on educational support services available to members of the National Guard, including Post-9/11 Educational Assistance under chapter 33 of title 38.

''(d) TRANSITION PLANS.—(1) Each individual plan created under subsection (c)(1) for a member of the National Guard described in paragraph (2) shall include the following:

''(A) A plan for the transition of the member to life in the civilian world, including with respect to employment, education, and health care.

''(B) A description of the transition services that the member and the member's family will need to achieve their transition objectives, including information on any forms that such member will need to fill out to be eligible for such services.

''(C) A point of contact for each agency or entity that can provide the transition services described in subparagraph (B).

''(2) A member of the National Guard described in this paragraph is any member of the National Guard who has served on active duty in the armed forces for a period of more than 180 days.

''(e) STATE DEFINED.—In this section, the term 'State' means each of the several States of the United States, the District of Columbia, and any territory of the United States.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section—

''(1) $10,000,000 for fiscal year 2013; and

''(2) such sums as may be necessary for each fiscal year thereafter.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by inserting after the item relating to section 1144 the following new item:

''1144A. Transition Assistance Advisors.''.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a description of the efforts of the Secretary to implement the requirements of section 1144A of title 10, United States Code, as added by subsection (a)(1).

SA 2998. Ms. AYOTTE (for herself, Mr. INHOFE, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated by this Act for fiscal year 2013 may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SA 2999. Ms. AYOTTE (for herself, Mr. LIEBERMAN, Mr. INHOFE, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. PLAN FOR LONG-TERM DETENTION FACILITY OUTSIDE THE UNITED STATES FOR DETENTION OF INDIVIDUALS DETAINED IN THE GLOBAL WAR ON TERRORISM.

(a) PLAN REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly submit to the appropriate committees of Congress a plan for the identification or establishment of a facility outside the United States as the location for the long-term detention by the United States, consistent with the laws of war, of foreign members of al Qaeda and associated forces who are captured outside Afghanistan. The location of the long-term detention shall be identified or established by not later than 180 days after the date of the enactment of this Act.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 3000. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 888. ASSESSMENT OF EFFECTS OF FOREIGN BOYCOTTS ON INDUSTRIAL BASE.

Section 2505 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) ASSESSMENT OF EXTENT OF EFFECTS OF FOREIGN BOYCOTTS.—Each assessment under subsection (a) shall include a separate discussion and presentation regarding the extent to which the national technology and industrial base is affected by foreign boycotts. The discussion and presentation regarding foreign boycotts shall—

''(1) identify sectors of the national technology and industrial base being affected by foreign boycotts;

''(2) assess the harm to the national technology and industrial base as a result of such boycotts; and

''(3) identify actions necessary to minimize the effects of foreign boycotts on the national technology and industrial base.''.

SA 3001. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 550, beginning on line 15, strike ''; and'' and all that follows through line 16 and insert the following: '';

(2) by inserting ''or fiscal year 2013'' after ''fiscal year 2012''; and

(3) by inserting before the period at the end the

SA 3002. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2824. PROHIBITION ON USE OF FUNDS FOR IMPLEMENTATION OF CERTAIN GREEN BUILDING STANDARDS.

No funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2013 may be obligated or expended to implement or use green building rating standards unless the standards—

(1)(A) are developed in accordance with rules accredited by the American National Standards Institute; and

(B) are approved as American National Standards; or

(2) incorporate and document the use of lifecycle assessment in the evaluation of building materials.

SA 3003. Ms. AYOTTE (for herself, Mr. LIEBERMAN, and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 238. MISSILE DEFENSE SITE ON THE EAST COAST OF THE UNITED STATES.

(a) CONSIDERATION OF LOCATION.—

(1) STUDY.—Not later than December 31, 2013, the Secretary of Defense shall conduct a study evaluating three possible locations selected by the Director of the Missile Defense Agency for a covered missile defense site on the East Coast of the United States.

(2) EIS.—The Secretary shall prepare an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for each location evaluated under paragraph (1).

(3) LOCATION.—In selecting the three possible locations for a covered missile defense site under paragraph (1), the Secretary should—

(A) take into consideration—

(i) the strategic location of the proposed site; and

(ii) the proximity of the proposed site to major population centers; and

(B) give priority to a proposed site that—

(i) is operated or supported by the Department of Defense;

(ii) lacks encroachment issues; and

(iii) has a controlled airspace.

(b) PLAN.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to deploy an appropriate missile defense interceptor for a missile defense site on the East Coast.

(2) MATTERS INCLUDED.—In developing the plan under paragraph (1), the Director—

(A) shall evaluate the use of—

(i) two-stage or three-stage Ground-Based Interceptors (GBIs);

(ii) Standard Missile-3 interceptors, including block IA, block IB, and for a later deployment, block IIA or block IIB interceptors; and

(iii) any other system the Director determines to be better suited to defend against future long-range missile threats;

(B) should consider both land and sea-based options; and

(C) shall develop cost estimates for each option considered.

(3) SUBMITTAL.—The plan shall be submitted to Congress together with the budget of the President for fiscal year 2014, as submitted to Congress under section 1105(a) of title 31, United States Code.

(c) COVERED MISSILE DEFENSE SITE DEFINED.—In this section, the term ''covered missile defense site'' means a missile defense site that uses—

(1) Ground-Based Interceptors;

(2) Standard Missile-3 interceptors; or

(3) any other system the Director of the Missile Defense Agency determines to be better suited to defend against future long-range missile threats.

SA 3004. Ms. AYOTTE (for herself, Mr. CHAMBLISS, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, insert the following:

SEC. 1032. REQUIRED NOTIFICATION OF CONGRESS WITH RESPECT TO THE INITIAL CUSTODY AND FURTHER DISPOSITION OF MEMBERS AL-QAEDA AND ASSOCIATED FORCES.

(a) REQUIRED NOTIFICATION WITH RESPECT TO INITIAL CUSTODY.—

(1) IN GENERAL.—When a covered person, as defined in section 1022(a)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 801 note), is taken into the custody of the United States Government, the Secretary of Defense and the Director of National Intelligence shall notify the specified congressional committees, as defined in subsection (c), within 10 days.

(2) REPORTING REQUIREMENT.—The notification submitted pursuant to paragraph (1) shall include, at a minimum, the suspect's name, nationality, date of capture or transfer to the United States, location of capture, places of custody since capture or transfer, suspected terrorist affiliation and activities, and agency responsible for interrogation.

(b) REQUIRED NOTIFICATION WITH RESPECT TO FURTHER DISPOSITION.—

(1) IN GENERAL.—Not later than 10 days after the United States Government makes a determination regarding the intended disposition of a covered person under section 1021(c) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 801 note), the Secretary of Defense and the Director of National Intelligence shall notify and inform the specified congressional committees of the intended disposition of the covered person.

(2) REPORTING REQUIREMENT.—The notification submitted pursuant to paragraph (1) shall include the relevant facts, justification, and rationale that serves as the basis for the disposition option chosen.

(c) SPECIFIED CONGRESSIONAL COMMITTEES.—In this section, the term ''specified congressional committees'' means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Armed Services of the House of Representatives;

(3) the Select Committee on Intelligence of the Senate; and

(4) the Permanent Select Committee on Intelligence of the House of Representatives.

(d) EFFECTIVE DATE.—This section shall take effect 60 days after the date of the enactment of this Act, and shall apply with respect to persons described in section 1022(a)(2) of the National Defense Authorization Act for Fiscal Year 2012 who are taken into the custody or brought under the control of the United States on or after that date.

SA 3005. Ms. AYOTTE (for herself, Mr. CHAMBLISS, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year

2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. PROHIBITION ON USE OF FUNDS TO PURCHASE FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION.—Subsection (a) of section 1026 of the National Defense Authorization Act for Fiscal Year 2012, as amended by section 1031(a) of this Act, is further amended by striking ''**or modify**'' and inserting '', modify, or purchase''.

(b) FUNDS COVERED BY PROHIBITION.—Such subsection is further amended by striking ''to the Department of Defense''.

(c) CONFORMING AMENDMENT.—The heading of such section 1026 is amended by striking ''**OR MODIFY**'' and inserting '', **MODIFY, OR PURCHASE**''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 3006. Ms. SNOWE (for herself, and Mr. BEGICH,) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 542, strike line 3 and all that follows through page 543, line 2, and insert the following:

SEC. 2704. LIMITATIONS ON BASE CLOSURE AND REALIGNMENT ACTIVITIES AND CRITERIA FOR CERTAIN DECISIONS INVOLVING SUCH ACTIVITIES.

(a) FINDINGS.—Congress makes the following findings:

(1) In 2012, the Department of Defense requested additional rounds of defense base closure and realignment in 2013 and 2015.

(2) There have been five rounds of defense base closure and realignment (BRAC) in the last 25 years (1988, 1991, 1993, 1995, and 2005).

(3) Congress has not approved additional rounds of base closure and realignment to occur after 2005, and recognizes that the 2005 round incurred substantial costs that will not be offset by savings for nearly two decades.

(4) According to the Government Accountability Office, implementation of the 2005 round of defense base closure and realignment cost $35,100,000,000, or approximately $14,100,000,000 more than was estimated by the 2005 Base Closure and Realignment Commission.

(5) Furthermore, the Government Accountability Office has determined that the 2005 round of defense base closure and realignment will take 17 years before taxpayers realize net savings from the round.

(6) On March 8, 2012, defending the President's request for additional rounds of defense base closure and realignment in testimony before the Committee on Armed Services of the House of Representatives, Dr. Dorothy Robyn, Deputy Undersecretary of Defense for Installations and Environment, asserted that the Department of Defense would close military installations using non-BRAC authorities, stating that ''if Congress does not authorize additional BRAC rounds the department will be forced to use its existing authorities to begin to realign and close bases''.

(7) The Department of Defense may close or realign bases only if a round of defense base closure and realignment is carried out in compliance with sections 2687 and 993 of title 10, United States Code.

(8) Section 2687 of title 10, United States Code, contains ambiguous language, leading the Department of Defense to pursue significant closures and realignments without congressional approval or an authorization for a round of defense base closure and realignment.

(9) Sections 2687 and 993 of title 10, United States Code, contain single action limits on reductions that are too easily circumvented by cumulative actions.

(10) As demonstrated by BRAC and other closure and realignment actions, base closures and realignments can have significant effects on Department of Defense functions, current and future operational capabilities, and on host communities and States.

(11) Recommendations for closures and realignments should be carried out only with the consent of Congress, which has the constitutional responsibility to ''raise and support Armies,'' ''provide and maintain a Navy,'' ''make Rules for the Government and Regulation of the land and naval Forces,'' and ''provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States''.

(b) LIMITATIONS ON BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Section 2687 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''at which at least 300 civilian personnel are authorized to be employed'';

(B) by amending paragraph (2) to read as follows:

''(2) any realignment with respect to any military installation involving a reduction in the number of military and civilian personnel authorized to be employed at such military installation at the time the Secretary of Defense notifies Congress under subsection (b) of the Secretary's proposal to close or realign such installation by more than the lesser of—

''(A) 100; or

''(B) 50 percent of the highest number of military and civilian personnel assigned to such installation during any of the previous 4 years; or''; and

(C) in paragraph (3)—

(i) by striking ''other than a military installation referred to in clause (1) or (2)'';

(ii) by inserting ''military or'' before ''civilian personnel''; and

(iii) by striking ''to which clause (1) or (2)'' and inserting ''to which paragraph (1) or (2)''; and

(2) in subsection (b)—

(A) by striking ''referred to in such subsection'';

(B) in paragraph (1)—

(i) by striking ''or the Secretary of the military department concerned'';

(ii) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (D), respectively;

(iii) by inserting before subparagraph (B), as redesignated by clause (ii), the following new subparagraph:

''(A) a justification for the proposed action;'';

(iv) in subparagraph (B), as so redesignated, by striking ''; and'' and inserting a semicolon;

(v) by inserting after subparagraph (B), as so redesignated, the following new subparagraph:

''(C) a description of the alternatives considered;'';

(vi) in clause (ii) of subparagraph (D), as so redesignated, by striking ''; and'' and inserting a semicolon; and

(vii) by inserting after subparagraph (D), as so redesignated, the following new subparagraphs:

''(E) an estimate of the number of military, civilian, and contractor personnel affected by the proposed action; and

''(F) a plan to provide support for affected communities; and''; and

(C) by amending paragraph (2) to read as follows:

''(2) Congress has enacted legislation expressly authorizing the action.'';

(3) in subsection (c)—

(A) by striking ''shall not apply to the closure'' and inserting the following: ''shall not apply—

''(1) to the closure'';

(B) by striking ''or a military emergency.'' and inserting ''or a military emergency; or''; and

(C) by adding at the end the following new paragraph:

''(2) to the relocation from a military installation of personnel or functions that are required to support the deployment of members of the armed forces, provided that such personnel and functions are returned to the military installation after the deployment.'';

(4) in subsection (d), by striking ''(1) After the expiration'' and all that follows through ''(2) Nothing in this section'' and inserting ''Nothing in this section'';

(5) in subsection (e)—

(A) in paragraph (1), by inserting ''and any public land under Bureau of Land Management control that is withdrawn and reserved for military training and testing'' after ''including any leased facility'';

(B) by amending paragraph (3) to read as follows:

''(3) The term 'realignment' includes any action or combination of actions within a 4-year period that reduces or relocates functions and military or civilian personnel positions, but does not include a reduction in force resulting from a reduction in military end strength levels or a reduction in total civilian personnel levels.'';

(C) by striking paragraph (4); and

(D) by adding at the end the following new paragraph:

''(4) The term 'closure' includes any action or combination of actions that results in the elimination of all active functions at a military installation, the elimination of all military and civilian personnel positions at a military installation, or the placement of a military installation into non-active status.''; and

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

''(g) For purposes of this section, the component bases of a joint base shall be considered as independent military installations, and not collectively as a single military installation.

''(h) For purposes of this section, any leased space in which more than 300 combined military and civilian personnel are housed shall be considered to be an independent military installation, and shall not be considered part of a larger military installation. Functions and personnel located at a leased space may be transferred to another leased space located within 50 miles or to the nearest military installation located within 50 miles notwithstanding any limitations in this section.''.

(c) CRITERIA.—Not later than March 31, 2013, the Comptroller General of the United

States shall submit to the congressional defense committees a report including objective criteria to be used by the Department of Defense to make decisions relating to realignments of units employed at military installations that are not covered by the requirements of section 2687 of title 10, United States Code, and closures of military installations that are not covered by such requirements.

(d) ONE-YEAR MORATORIUM ON CERTAIN ACTIONS RESULTING IN PERSONNEL REDUCTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no action may be taken before October 1, 2013, that would result in a military installation covered under paragraph (1) of section 2687(a) of title 10, United States Code, to no longer be covered by such paragraph.

(2) NATIONAL SECURITY WAIVER.—The Secretary of Defense may waive the prohibition under paragraph (1) if the Secretary certifies to the congressional defense committees that is in the national security interests of the United States.

(e) RULE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act may be construed to authorize a round of defense base closure and realignment.

(f) PROHIBITION ON USE OF FUNDS.—None of the amounts authorized to be appropriated by this Act may be obligated or expended to consider a round of defense base closure and realignment.

SA 3007. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. SENSE OF THE SENATE ON NEGOTIATING CONCESSIONS WITH TERRORISTS.

(a) FINDINGS.—The Senate makes the following findings:

(1) The United States has a longstanding policy of opposing negotiations with terrorists and terrorist organizations on concessions of any kind, including ransom demands, prisoner releases, and hostage exchanges. This longstanding policy has been repeated by numerous administrations over the past four decades.

(2) For example, at an August 4, 1975, meeting between President Gerald Ford and Secretary of State Henry Kissinger and President of Yugoslavia Josip Tito, Secretary Kissinger explained that the United States' ''position is, as it has always been, that we refuse to negotiate and to pay ransom in these cases. We do this in order not to encourage the capture of other Americans for the same purpose.''

(3) In his comments to President Tito, Secretary Kissinger explained the basis for the United States' policy, as well as his expectation that the United States would never change this no-negotiation policy: ''The American Government will always refuse to negotiate because that is the only way we can keep demands from being made upon us.''

(4) In the same conversation, President Ford said, ''It's our strong feeling that if we were to breach this hard line that we take there would be no end to the demands being made upon us. We have to be tough and that is right in the long run.''

(5) On January 20, 1986, President Ronald Reagan issued National Security Decision Directive Number 207, which prohibits negotiations with terrorist organizations regarding the release of hostages.

(6) National Security Decision Directive 207 sets forth in unequivocal terms the United States' ''firm opposition to terrorism in all its forms'' and makes clear the government's ''conviction that to accede to terrorist demands places more American citizens at risk. This no-concessions policy is the best way of protecting the greatest number of people and ensuring their safety.''

(7) National Security Decision Directive 207 continues to say: ''The [United States Government] will pay no ransoms, nor permit releases of prisoners or agree to other conditions that could serve to encourage additional terrorism. We will make no changes in our policy because of terrorist threats or acts.''

(8) Department of State Publication 10217, which was released in similar formats by the administrations of George H.W. Bush in 1991 and Bill Clinton in 1994, espouses the same no-concessions policy and makes clear the United States ''will not support the freeing of prisoners from incarceration in response to terrorist demands''.

(9) On April 4, 2002, President George W. Bush said, ''Terror must be stopped. No nation can negotiate with terrorists, for there is no way to make peace with those whose only goal is death.''

(10) Secretary of State Hillary Clinton, while serving in the United States Senate, wrote in 2007 that the United States ''cannot negotiate with individual terrorists; they must be hunted down and captured or killed''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States Government should firmly maintain its longstanding policy against negotiating with terrorists and terrorist organizations on any concession or demand; and

(2) any abandonment or weakening of this policy would endanger the safety of United States citizens, including members of the Armed Forces, and increase terrorist kidnappings, hostage demands, and murders.

SA 3008. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1064. REPORTING ON NEGOTIATIONS WITH TERRORISTS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Select Committee on Intelligence and the Committee on Armed Services of the Senate; and

(B) the Permanent Select Committee on Intelligence and the Committee on Armed Services of the House of Representatives.

(2) CONCESSION.—The term ''concession'' shall include any discussion or demand for payment or ransom, the withdrawal of United States military or diplomatic presence, or the release of any prisoner or detainee held by the United States.

(3) NEGOTIATIONS WITH TERRORISTS.—The term ''negotiations with terrorists'' shall include any direct or indirect negotiation with any person or organization that —

(A) has been designated by the United States, including any department or agency of the United States, as a person or organization that commits, threatens to commit, or supports terrorism;

(B) has engaged in any activity that would render the person or the organization inadmissible under section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)); or

(C) is part of al Qaeda or affiliated with al Qaeda through any council or activity.

(b) REPORTING REQUIREMENT.—

(1) INITIAL REPORT.—Not later than 60 days after the date of the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees a report that identifies any instance within the previous 300 days in which the United States engaged in negotiations with terrorists regarding any person held in the custody of the United States or allied forces.

(2) PERIODIC REPORTS.—If any employee, agent, or representative of the Department of Defense or the Department of State engages in, authorizes, or cooperates in any way with negotiations with terrorists regarding any person held in the custody of the United States or allied forces, the Secretary of Defense or the Secretary of State, as the case may be, shall submit a report to the appropriate committees of Congress within 30 days.

(3) CONTENT.—A report under this subsection shall include all relevant facts, including—

(A) the name of each terrorist person or organization at issue;

(B) the name of any prisoner, detainee, or hostage who was the subject of such negotiations;

(C) the concessions demanded or discussed during the negotiations;

(D) the name of any government or third party involved in the negotiations; and

(E) the outcome of the negotiations.

(4) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

SA 3009. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1221. CONGRESSIONAL REVIEW OF BILATERAL SECURITY AGREEMENT WITH AFGHANISTAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Authorization for the Use of Military Force (Public Law 107–40; 115 Stat. 224) authorizes the President to use all necessary and appropriate force against those nations, organizations, or persons the President determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.

(2) President Barack Obama and Secretary of Defense Leon Panetta have stated that the United States continues to fight in Afghanistan to defeat the al Qaeda threat and

the Taliban, which harbored al Qaeda in Afghanistan, where the attacks of September 11, 2001, were planned and where the attackers received training.

(3) On May 1, 2012, the United States entered into the ''Enduring Strategic Partnership Agreement Between the United States of America and the Islamic Republic of Afghanistan'', which establishes an enduring strategic partnership between the United States and the Islamic Republic of Afghanistan.

(4) The Agreement reaffirms the presence and operations of United States Armed Forces in Afghanistan, and establishes long-term commitments between the two countries, including the continued commitment of United States forces and political and financial support to the Government of Afghanistan.

(5) The Agreement also commits the United States to establishing a long-term Bilateral Security Agreement, with the goal of concluding a Bilateral Security Agreement within one year to supersede the present Status of Forces agreements with the Islamic Republic of Afghanistan.

(6) Congress was not consulted regarding the framework or substance of the Agreement.

(7) In the past, Congress has been consulted, and, in some cases, has provided its advice and consent to ratification of such agreements, including those where the use of force was not authorized nor required in the country.

(b) NOTIFICATION REQUIREMENT.—Not later than 30 days before entering into any Bilateral Security Agreement or other agreement with the Islamic Republic of Afghanistan that will affect the Status of Forces agreements and long-term commitments between the United States and the Islamic Republic of Afghanistan, the President shall submit the agreement to the appropriate congressional committees for review. If the President fails to comply with such requirement, 50 percent of the unobligated balance of the amounts appropriated or otherwise made available for the Executive Office of the President shall be withheld.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 3010. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. NOTICE AND REPORT ON USE OF NAVAL VESSELS FOR DETENTION OF INDIVIDUALS CAPTURED PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) NOTICE TO CONGRESS.—Not later than five days after first detaining an individual who is captured pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) on a naval vessel outside the United States, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice of the detention.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use of naval vessels for the detention outside the United States of any individual who is captured pursuant to the Authorization for Use of Military Force. Such report shall include—

(A) procedures and any limitations on detaining such individuals at sea on board United States naval vessels;

(B) an assessment of any force protection issues associated with detaining such individuals on such vessels;

(C) an assessment of the likely effect of such detentions on the original mission of the naval vessel; and

(D) any restrictions on long-term detention of individuals on United States naval vessels.

(2) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SA 3011. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. NOTICE REQUIRED PRIOR TO TRANSFER OF CERTAIN INDIVIDUALS DETAINED AT THE DETENTION FACILITY AT PARWAN, AFGHANISTAN.

(a) NOTICE REQUIRED.—The Secretary of Defense shall submit to the appropriate congressional committees notice in writing of the proposed transfer of any individual detained pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) who is a national of a country other than the United States or Afghanistan from detention at the Detention Facility at Parwan, Afghanistan, to the custody of the Government of Afghanistan or of any other country. Such notice shall be provided not later than 10 days before such a transfer may take place.

(b) ADDITIONAL ASSESSMENTS AND CERTIFICATIONS.—As part of the notice required under subsection (a), the Secretary shall include the following:

(1) In the case of the proposed transfer of such an individual by reason of the individual being released, an assessment of the threat posed by the individual and the security environment of the country to which the individual is to be transferred.

(2) In the case of the proposed transfer of such an individual to a country other than Afghanistan for the purpose of the prosecution of the individual, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of the country with respect to prosecuting similar cases, including a description of the evidence against the individual that is likely to be admissible as part of the prosecution.

(3) In the case of the proposed transfer of such an individual for reintegration or rehabilitation in a country other than Afghanistan, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of the country for reintegrating or rehabilitating similar individuals.

(4) In the case of the proposed transfer of such an individual to the custody of the government of Afghanistan for prosecution or detention, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of Afghanistan to prosecute or detain long-term such individuals.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SA 3012. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated by this Act for fiscal year 2013 may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SA 3013. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1032. MILITARY CUSTODY FOR NON-UNITED STATES CITIZEN MEMBERS OF AL-QAEDA AND AFFILIATED ENTITIES.

(a) CUSTODY PENDING DISPOSITION UNDER LAW OF WAR.—

(1) IN GENERAL.—Except as provided in paragraph (4), the Armed Forces of the United States shall hold a person described in paragraph (2) who is captured in the course of hostilities authorized by the Authorization for Use of Military Force (Public Law 107–40) in military custody pending disposition under the law of war.

(2) COVERED PERSONS.—The requirement in paragraph (1) shall apply to any person whose detention is authorized by section 1021 of the National Defense Authorization Act

for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1562; 10 U.S.C. 801 note) who is determined—

(A) to be a member of, or part of, al-Qaeda or an associated force that acts in coordination with or pursuant to the direction of al-Qaeda; and

(B) to have participated in the course of planning or carrying out an attack or attempted attack against the United States or its coalition partners.

(3) DISPOSITION UNDER LAW OF WAR.—For purposes of this subsection, the disposition of a person under the law of war has the meaning given in section 1021(c) of the National Defense Authorization Act for Fiscal Year 2012, except that no transfer otherwise described in paragraph (4) of that section shall be made unless consistent with the requirements of section 1028 of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1567; 10 U.S.C. 801 note).

(4) WAIVER FOR NATIONAL SECURITY.—The Secretary of Defense may, in consultation with the Secretary of State and the Director of National Intelligence, waive, on a case-by-case basis, the requirement of paragraph (1) if the Secretary of Defense submits to Congress a certification in writing that such a waiver in the particular case is in the national security interests of the United States.

(b) INAPPLICABILITY TO UNITED STATES CITIZENS.—The requirement to detain a person in military custody under this section does not extend to citizens of the United States.

(c) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act, and shall apply with respect to persons described in subsection (a)(2) who are taken into the custody or brought under the control of the United States on or after effective date.

SA 3014. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 655. ENFORCEMENT OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Section 987(f) of title 10, United States Code, as amended by section 653 of this Act, is further amended by adding at the end the following new paragraph:

''(6) ENFORCEMENT.—The provisions of this section (other than paragraph (1) of this subsection) shall be enforced as follows:

''(A) By the agencies specified in section 108 of the Truth in Lending Act (15 U.S.C. 1607) in the manner set forth in that section or as set forth under any other applicable authorities available to such agencies by law.

''(B) By the attorneys general of the States or State regulators in accordance with section 1042 of the Consumer Financial Protection Act (12 U.S.C. 5552).''.

SA 3015. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1084. PROTECTION OF VETERANS' MEMORIALS.

(a) TRANSPORTATION OF STOLEN MEMORIALS.—Section 2314 of title 18, United States Code, is amended by adding at the end the following:

''In the case of an offense under the first paragraph of this section, if the goods, wares, or merchandise consist of or include a veterans' memorial, the requirement of that paragraph that the goods, wares, or merchandise have a value of $5,000 or more does not apply. In this paragraph, the term 'veterans' memorial' means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any monument that signifies an event of national military historical significance.''.

(b) SALE OR RECEIPT OF STOLEN MEMORIALS.—Section 2315 of such title is amended by adding at the end the following:

''In the case of an offense under the first paragraph of this section, if the goods, wares, or merchandise consist of or include a veterans' memorial, the requirement of that paragraph that the goods, wares, or merchandise have a value of $5,000 or more does not apply. In this paragraph, the term 'veterans' memorial' means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any monument that signifies an event of national military historical significance.''.

SA 3016. Mrs. GILLIBRAND (for herself, Ms. COLLINS, and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 138, strike lines 14 through 20 and insert the following:

(8) A requirement that each Secretary of a military department establish policies that require that each member of the Armed Forces under the jurisdiction of such Secretary whose conviction for a covered offense is final and who is not punitively discharged from the Armed Forces in connection with such conviction be processed for administrative separation from the Armed Forces, which requirement shall not be interpreted to limit or alter the authority of such Secretary to process members of the Armed Forces for administrative separation for other offenses or under other provisions of law.

(b) DEFINITIONS.—In this section:

(1) The term ''covered offense'' means the following:

(A) Rape or sexual assault under subsection (a) or (b) of section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice).

(B) Forcible sodomy under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice).

(C) An attempt to commit an offense specified in subparagraph (A) or (B) under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(2) The term ''special victim offenses'' means offenses involving allegations of any of the following:

(A) Child abuse.

(B) Rape, sexual assault, or forcible sodomy.

(C) Domestic violence involving aggravated assault.

SA 3017. Mr. REED (for himself, Mr. RUBIO, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. COST-SHARING RATES FOR THE PHARMACY BENEFITS PROGRAM OF THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1074g(a)(6) of title 10, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following new sub paragraph (A):

''(A) The Secretary, in the regulations prescribed under subsection (h), shall establish cost-sharing requirements under the pharmacy benefits program. In accordance with subparagraph (C), such cost-sharing requirements shall consist of the following:

''(i) With respect to each supply of a prescription covering not more than 30 days that is obtained by a covered beneficiary under the TRICARE retail pharmacy program—

''(I) in the case of generic agents, $5;

''(II) in the case of formulary agents, $17; and

''(III) in the case of nonformulary agents, $44.

''(ii) With respect to each supply of a prescription covering not more than 90 days that is obtained by a covered beneficiary under the national mail-order pharmacy program—

''(I) in the case of generic agents, $0;

''(II) in the case of formulary agents, $13; and

''(III) in the case of nonformulary agents, $43.''; and

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

''(C)(i) Beginning October 1, 2013, the amount of any increase in a cost-sharing amount specified in subparagraph (A) in a year may not exceed the amount equal to the percentage of such cost-sharing amount at the time of such increase equal to the percentage by which retired pay is increased under section 1401a of this title in that year.

''(ii) If the amount of the increase otherwise provided for a year by clause (i) is less than $1, the increase shall not be made for such year, but shall be carried over to, and accumulated with, the amount of the increase for the subsequent year or years and made when the aggregate amount of increases carried over under this clause for a year is $1 or more.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The cost-sharing requirements under subparagraph (A) of section 1074g(a)(6) of title 10, United States Code (as amended by subsection (a)(1)), shall apply with respect to prescriptions obtained under the TRICARE pharmacy benefits program on or after such date as the Secretary of Defense shall specify, but not later than the date that is 45 days after the date of the enactment of this Act.

(2) FEDERAL REGISTER.—The Secretary shall publish notice of the effective date of the cost-sharing requirements specified under paragraph (1) in the Federal Register.

SEC. 705. PILOT PROGRAM ON REFILLS OF MAINTENANCE MEDICATIONS THROUGH THE TRICARE MAIL-ORDER PHARMACY PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to refill prescription maintenance medications for each TRICARE for Life beneficiary through the national mail-order pharmacy program under section 1074g(a)(2)(E)(iii) of title 10, United States Code.

(b) MEDICATIONS COVERED.—

(1) DETERMINATION.—The Secretary shall determine the prescription maintenance medications included in the pilot program under subsection (a).

(2) SUPPLY.—In carrying out the pilot program, the Secretary shall ensure that the medications included in the program are—

(A) generally available through retail pharmacies for an initial filling of a 30-day or less supply; and

(B) obtained by refill through the national mail-order pharmacy program.

(3) NO DENIAL.—In the instance when a refill of such maintenance medication is not obtained through a national mail-order pharmacy program, the Secretary shall ensure that beneficiaries are provided a supply at a retail pharmacy for a limited period of time. The Secretary may impose a cost-sharing requirement on beneficiaries accessing such supply.

(4) EXEMPTION.—The Secretary may exempt the following prescription maintenance medications from the requirements in paragraph (2):

(A) Medications for acute care needs.

(B) Medications dispensed to patients in long-term care facilities.

(C) Such other medications as the Secretary considers appropriate.

(c) NONPARTICIPATION.—

(1) OPT OUT.—The Secretary shall give beneficiaries who have been covered by the pilot program under subsection (a) for a period of at least one year an opportunity to opt out of continuing to participate in the pilot program.

(2) WAIVER.—The Secretary may waive the requirement for a beneficiary to participate in the pilot program if the Secretary determines, on an individual basis, that the waiver is appropriate.

(d) OPERATION OF PROGRAM.—In carrying out the pilot program, the Secretary shall ensure that the operational responsibilities for the national mail-order pharmacy program for purposes of the pilot program are awarded through full and open competition.

(e) REPORTS.—Not later than March 31 of each year beginning in 2014 and ending in 2018, the Secretary shall submit to the congressional defense committees a report on the pilot program under subsection (a), including the effects of offering incentives for the use of mail-order pharmacies by TRICARE for Life beneficiaries, access to maintenance medications, and the effect on retail pharmacies.

(f) TRICARE FOR LIFE BENEFICIARY DEFINED.—In this section, the term ''TRICARE for Life beneficiary'' means a beneficiary under the TRICARE program who is enrolled in the Medicare wraparound coverage option of the TRICARE program made available to the beneficiary by reason of section 1086(d) of title 10, United States Code.

(g) SUNSET.—The Secretary may not carry out the pilot program under subsection (a) after December 31, 2017.

SA 3018. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. COONS, Ms. COLLINS, Mr. PAUL, Mr. LAUTENBERG, Mrs. GILLIBRAND, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

At the end of subtitle D of title X, add the following:

SEC. 1032. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b)(1) An authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States, unless an Act of Congress expressly authorizes such detention.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act For Fiscal Year 2013.

''(3) Paragraph (1) shall not be construed to authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 27, 2012, at 10 a.m., to hold a hearing entitled, ''Update on Arms Control Matters''.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 27, 2012, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that John Daley, a State Department detailee to the Foreign Relations Committee, be given floor privileges during the debate on the disabilities treaty.

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

Mr. KERRY. Mr. President, I ask unanimous consent, on behalf of Senator MURRAY, that Jake Cornett, a fellow in her office, be granted floor privileges for the remainder of the 112th Congress.

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

THEFT OF TRADE SECRETS CLARIFICATION ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3642.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3642) to clarify the scope of the Economic Espionage Act of 1996.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that the Senate today will pass this simple, commonsense legislation to clarify a provision of the Economic Espionage Act and thereby help protect American businesses and American jobs.

The Economic Espionage Act makes it a crime to, among other things, steal a trade secret knowing that the theft will hurt the owner. This is an important protection for American businesses, which often choose trade secret protection over other forms of intellectual property protection.

A recent decision of the Second Circuit in United States v. Aleynikov casts doubt on the reach of the statute. A jury in that case found the defendant guilty of stealing computer code from his employer. The court overturned the conviction, holding among other things that the trade secret did not meet the interstate commerce prong of the statute, even though the defendant had copied the stolen code from his office in New York to a server in Germany; downloaded the code to his home computer in New Jersey; then flew to his new job in Illinois with the stolen source code in his possession; and the code was used in interstate commerce.

The court held that the Economic Espionage Act provision applies only to trade secrets that are part of a product that is produced to be placed in interstate commerce. Because the company's proprietary software was neither placed in interstate commerce, nor produced to be placed in interstate commerce, the law did not apply—even though the stolen source code was part of a financial trading system that was used in interstate commerce every day.

The clarifying legislation that the Senate will pass today corrects the court's narrow reading to ensure that our federal criminal laws adequately address the theft of trade secrets related to a product or service used in interstate commerce. It is a straightforward fix, but an important one, as we work to ensure that American companies can protect the products they work so hard to develop, so they may continue to grow and thrive. I urge the House to act quickly to pass this commonsense legislation.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 3642) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3642

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 ''Theft of Trade Secrets Clarification Act of 2012''.

SEC. 2. AMENDMENT.

Section 1832(a) of title 18, United States Code, is amended in the matter preceding paragraph (1), by striking ''or included in a product that is produced for or placed in'' and inserting ''a product or service used in or intended for use in''.

YEAR OF THE KOREAN WAR VETERAN

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 602.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 602) designating 2012–2013 as the ''Year of the Korean War Veteran'' and recognizing the 60th anniversary of the Korean War.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

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

The resolution (S. Res. 602) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 602

Whereas, on June 25, 1950, the Communist Democratic People's Republic of Korea began the Korean War by invading the Republic of Korea with approximately 135,000 troops;

Whereas nearly 1,800,000 members of the United States Armed Forces served along with the forces of the Republic of Korea and 20 other Allied nations in the Korean theater of operations to defend freedom and democracy in the Korean Peninsula;

Whereas, during the Korean War, 36,574 people from the United States died and 103,284 people from the United States were wounded in some of the most horrific combat and weather conditions in the history of warfare;

Whereas almost 60 years have passed since the signing of the cease-fire agreement at Panmunjom on July 27, 1953, and the Korean Peninsula still technically remains in a state of war;

Whereas the Korean War has for many years been a ''Forgotten War'' for people in the United States;

Whereas Korean War veterans deserve to be recognized by the people of the United States for their honorable and courageous service in defense of democracy and freedom during the Korean War;

Whereas the tide of communism on the southern ½ of the Korean Peninsula was halted, liberty triumphed over tyranny, and the Republic of Korea has developed into a modern and prosperous democracy because of the selfless sacrifice of the Korean War veterans;

Whereas the people of the United States and the Republic of Korea are eternally grateful to the Korean War veterans;

Whereas the history of the Korean War should be included in the curriculum of schools in the United States so that future generations never forget the sacrifices of the Korean War veterans and what those veterans accomplished;

Whereas the Department of Defense 60th Anniversary of the Korean War Commemoration Committee will implement a national campaign to honor the Korean War veterans, remember those Korean War veterans still counted among the missing in action, and educate the people of the United States concerning the ongoing relevance of the Korean War; and

Whereas the commemorative campaign will include ceremonies in the United States and the Republic of Korea in recognition of the beginning (June 25, 1950) and the armistice ending hostilities (July 27, 1953), as well as a national media and outreach campaign for Veterans Day 2012 to honor the Korean War veterans: Now, therefore, be it

Resolved, That the Senate—

(1) designates 2012–2013 as the ''Year of the Korean War Veteran'';

(2) recognizes the 60th anniversary of the Korean War; and

(3) honors the contributions and sacrifices made by the Korean War veterans.

ORDERS FOR WEDNESDAY, NOVEMBER 28, 2012

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Wednesday, November 28, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized at that time, and the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

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

PROGRAM

Mr. REID. We hope to begin consideration of the Defense authorization bill tomorrow. We will also work on an agreement for amendments to the disabilities treaty.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Wednesday, November 28, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

NITZA I. QUINONES ALEJANDRO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE RICHARD BARCLAY SURRICK, RETIRED.

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE ANITA B. BRODY, RETIRED.

JEFFREY L. SCHMEHL, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE THOMAS M. GOLDEN, DECEASED.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE INTERNATIONAL BROADCASTING BUREAU FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHAEL R. HARDEGEN, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

GEOFFREY W. WIGGIN, OF SOUTH DAKOTA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER COUNSELOR:

JAMES J. HIGGISTON, OF MARYLAND
DAVID C. MILLER, OF WASHINGTON
ELIA P. VANECHANOS, OF NEW JERSEY

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

GARY W. MEYER, OF WISCONSIN
ERIC A. WENBERG, OF WYOMING

THE FOLLOWING-NAMED PERSONS OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

STEPHEN J. GONYEA, OF FLORIDA
RITU K. TARIYAL, OF CALIFORNIA
ALEXIS MARIA TAYLOR, OF NEW YORK

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

SARAH MAXWELL BANASHEK, OF CALIFORNIA
ROBERT B. BARTON, OF PENNSYLVANIA
AARON J. BISHOP, OF CALIFORNIA
ANA ISABEL BODIPO—MEMBA, OF THE DISTRICT OF COLUMBIA
KEVIN MAURICE BROWN, OF FLORIDA
ELIZABETH ANN CALLENDER, OF VIRGINIA
SCOTT S. CAMERON, OF CALIFORNIA
MONICA DORE CARLSON, OF VIRGINIA
ELIZABETH DAVNIE-EASTON, OF VIRGINIA
CRISTINA M. DROST, OF NEVADA
CHARLES OGORCHUKWU EGU, OF MARYLAND
SUSAN FENNO, OF MAINE
CHRISTOPHER TODD FOLEY, OF NEW YORK
CHRISTINE D. GANDOMI, OF ARIZONA
ANYA GLENN, OF CALIFORNIA
ALEXANDRA ISABEL HUERTA, OF WASHINGTON
DEBORAH L. JOHNSTON, OF VIRGINIA
MELANIE A. LUICK-MARTINS, OF IOWA
STEVEN M. MAJORS, OF MISSOURI
MARK A. MITCHELL, OF OREGON
CHRISTINE M. OBESTER, OF VIRGINIA
AMY MICHELLE PARTIDA, OF TEXAS
ALLYSON L. PHELPS, OF ARIZONA
ANDREW ARI REBOLD, OF NEW YORK
SHANNON MARAE ROGERS, OF COLORADO
ANDREA SAWKA, OF FLORIDA
JASON LEE SMITH, OF THE DISTRICT OF COLUMBIA
RICHARD E. SPENCER, OF VIRGINIA
MATTHEW EARL SUMPTER, OF CALIFORNIA
GREG M. SWARIN, OF MICHIGAN
CORINA CHENTZE WARFIELD, OF CALIFORNIA
KATHARINE ANTONIA WEBER, OF ALASKA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

SHARON LEE CROMER, OF NEW YORK

DAVID E. ECKERSON, OF VIRGINIA
EARL W. GAST, OF CALIFORNIA
WILLIAM HAMMINK, OF THE DISTRICT OF COLUMBIA
SUSUMU KEN YAMASHITA, OF FLORIDA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER COUNSELOR:

ROBERT F. CUNNANE, OF FLORIDA
ALEXANDER DICKIE IV, OF TEXAS
SUSAN FRENCH FINE, OF VIRGINIA
BROOKE ANDREA ISHAM, OF WASHINGTON
KEVIN J. MULLALLY, OF ARIZONA
CHARLES ERIC NORTH, OF VIRGINIA
DENISE ANNETTE ROLLINS, OF THE DISTRICT OF COLUMBIA
THOMAS H. STAAL, OF MARYLAND
DENNIS JAMES WELLER, OF ILLINOIS
MELISSA A. WILLIAMS, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

JIM NELSON BARNHART, JR., OF GEORGIA
SHERRY F. CARLIN, OF FLORIDA
KIMBERLY J. DELANEY, OF CALIFORNIA
CELESTINA M. DOOLEY-JONES, OF SOUTH DAKOTA
LISA ROSE FRANCHETT, OF CALIFORNIA
MICHELLE ALLISON GODETTE, OF FLORIDA
DEBORAH LYNN GRIESER, OF ILLINOIS
NANCY L. HOFFMAN, OF FLORIDA
JAMES M. HOPE, OF TEXAS
MARK S. HUNTER, OF VIRGINIA
REBECCA A. LATORRACA, OF WEST VIRGINIA
TERESA L. MCGHIE, OF NEVADA
ELIZABETH E. PALMER, OF ARIZONA
JOAKIM ERIC PARKER, OF CALIFORNIA
ANDREW WILLIAM PLITT, OF MARYLAND
ROY PLUCKNETT, OF VIRGINIA
LESLIE K. REED, OF CALIFORNIA
MARIA RENDON LABADAN, OF FLORIDA
ALLEN F. VARGAS, OF FLORIDA
CLINTON DAVID WHITE, OF FLORIDA

THE FOLLOWING—NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

KARL MILLER ADAM, OF TEXAS
ANDREW L. ARMSTRONG, OF FLORIDA
DINA A. BADAWY, OF VIRGINIA
FRANÇOISE I. BARAMDYKA, OF CALIFORNIA
BRIAN PAUL BECKMANN, OF MINNESOTA
FRITZ W. BERGGREN, OF WASHINGTON
MARIE MARGUERITE BLANCHARD, OF MASSACHUSETTS
KATHRYN W. BONDY, OF GEORGIA
MELANIE LYNETTE BONNER, OF THE DISTRICT OF COLUMBIA
MATTHEW J. BRITTON, OF CALIFORNIA
BIANCA M. COLLINS, OF MICHIGAN
ANTON MARK COOPER, OF WASHINGTON
MELISSA ELMORE COTTON, OF MASSACHUSETTS
ANDREW JOSEPH CURIEL, OF CALIFORNIA
HANNAH A. DRAPER, OF ARKANSAS
THOMAS ANTHONY DUVAL, OF MASSACHUSETTS
JAMES P. DUVERNAY, OF NEW JERSEY
AMY E. EAGLEBURGER, OF CALIFORNIA
JONATHAN EDWARD EARLE, OF MISSOURI
JEREMY EDWARDS, OF TEXAS
JEFFREY EDWARD ELLIS, OF WASHINGTON
JOHN C. ETCHEVERRY, OF CALIFORNIA
DYLAN THOMAS FISHER, OF VIRGINIA
THEODORE JOSEPH FISHER, OF CALIFORNIA
REBECCA V. GARDNER, OF OHIO
ROBERT RICHARD GATEHOUSE, JR., OF CONNECTICUT
JOSEPH MARTIN GERAGHTY, OF PENNSYLVANIA
JOHN DREW GIBLIN, OF GEORGIA
STEPHANIE SNOW GILBERT, OF OKLAHOMA
MARK THOMAS GOLDRUP, OF CALIFORNIA
MICHAEL GORMAN, OF VIRGINIA
CATHERINE A. HALLOCK, OF NEW YORK
JESSICA AMY HARTMAN, OF CALIFORNIA
STEPHANIE M. HAUSER, OF FLORIDA
JEFFREY M. HAY, OF VIRGINIA
MARK HERNANDEZ, OF VIRGINIA
BENJAMIN GEORGE HESS, OF NORTH CAROLINA
KATHRYN L. HOLMGAARD, OF VIRGINIA
JONATHAN PAUL HOWARD, OF VIRGINIA
BRENT W. ISRAELSEN, OF NEVADA
ERIC RYAN JACOBS, OF FLORIDA
NICHIREN RASHAD JONES, OF GEORGIA
RACHEL YNYR KALLAS, OF WISCONSIN
ALLEN L. KRAUSE, OF MICHIGAN
DAWSON LAW, OF FLORIDA
KATHERINE MAUREEN LEAHY, OF NEW JERSEY
ADAM JOSEPH LEFF, OF THE DISTRICT OF COLUMBIA
RONG RONG, LI, OF MAINE
ELIZABETH ANGELA LITCHFIELD, OF ILLINOIS
JENNIFER L. MCANDREW, OF TEXAS
DANIEL CRAIG MCCANDLESS, OF PENNSYLVANIA
JULIA P. MCKAY, OF SOUTH CAROLINA
ELIZABETH ALBIN MEZA, OF TEXAS
ERIC C. MOORE, OF OREGON
KRISTY M. MORDHORST, OF TEXAS
WALKER PAUL MURRAY, OF WASHINGTON
SCOTT A. NORRIS, OF TEXAS
SARAH OH, OF NEW YORK
JAMES PAUL O'MEALIA II, OF NEW JERSEY
IRENE IJEOMA ONYEAGBAKO, OF NEVADA
ERIK GRAHAM PAGE, OF SOUTH CAROLINA
JENNIFER LEIGH PALMER, OF CALIFORNIA
NEIL M. PHILLIPS, OF MARYLAND
JAY LANNING PORTER, OF UTAH
A. LARISSA PROCTOR, OF VIRGINIA
MARGARET S. RAMSAY, OF NEW YORK
JERAMEE C. RICE, OF TENNESSEE
JAMES THOMAS RIDER, OF MICHIGAN
SHANNON M. RITCHIE, OF VIRGINIA
GEORGE RIVAS, JR., OF TEXAS
JENNIFER WELLS ROBERTSON, OF VIRGINIA
DUSTIN SALVESON, OF NEW YORK
JONATHAN CHARLES SCOTT, OF CALIFORNIA
MIHAIL DAVID SEROKA, OF ALABAMA
TRAVIS MARK SEVY, OF UTAH
MUHAMMAD R. SHAHBAZ, OF NEW YORK
GEORGE BRANDON SHERWOOD, OF NORTH CAROLINA
MICHAEL AARON SHULMAN, OF THE DISTRICT OF COLUMBIA
GWENDOLYNNE M. SIMMONS, OF FLORIDA
NATHAN R. SIMMONS, OF IDAHO
NISHA DILIP SINGH, OF CALIFORNIA
JEREMY DANIEL SLEZAK, OF TEXAS
ALAN JOSEPH SMITH, OF THE DISTRICT OF COLUMBIA
ERIC ANTHONY SMITH, OF CALIFORNIA
VÉRONIQUE ELISABETH SMITH, OF CALIFORNIA
KRISTEN MARIE STOLT, OF ILLINOIS
MICHAEL JAMES WAUTLET, OF COLORADO
ERIN RAMSEY WILHELM, OF THE DISTRICT OF COLUMBIA
GARRETT E. WILKERSON, OF OREGON
AMANDA L. WILLIAMS-FORD, OF NORTH CAROLINA
NELSON H. WU, OF VIRGINIA
MARGARET ANNE YOUNG, OF MISSOURI
MICHAEL JOSEPH YOUNG, OF COLORADO

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE SECRETARIES OR CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

SARAH AHMED, OF VIRGINIA
ZAKHAR AMCHISLAVSKY, OF THE DISTRICT OF COLUMBIA
MOSES AN, OF CALIFORNIA
BRIAN I. APEL, OF VIRGINIA
TOBEI B. ARAI, OF GEORGIA
HARRY J. BETHKE, OF VIRGINIA
LITTANE BIEN-AIME, OF MASSACHUSETTS
KEONDRA S. BILLS, OF NEW YORK
RYAN P. BLANTON, OF MISSOURI
JACKSON BLOOM, OF CALIFORNIA
MICHAEL C. BLUE, OF PENNSYLVANIA
PREN-TSILYA BOA-GUEHE, OF MARYLAND
ELIZABETH BONIFACE, OF VIRGINIA
DOUGLAS L. BRADY, OF VIRGINIA
ALAIN C. BRAINOS, OF VIRGINIA
PATRICK BRANCO, OF HAWAII
JOSEPH A. BRANDIFINO, OF VIRGINIA
ADAM MATTHEW BROWN, OF FLORIDA
AMY B. BROWN, OF THE DISTRICT OF COLUMBIA
TRAVIS S. BROWN, OF THE DISTRICT OF COLUMBIA
AMANDA ROSE BUESCHER, OF CALIFORNIA
PAUL R. BULLARD, OF NEW YORK
JOSE E. CAMPOY, OF ARIZONA
VIRGIL WILLIAM CARSTENS, OF TEXAS
MARK R. CARTER, OF CONNECTICUT
RYAN W. CASSELBERRY, OF FLORIDA
TUSEEF CHAUDHRY, OF VIRGINIA
DOREEN A. CIAVARELLI, OF VIRGINIA
PAM S. COBB, OF THE DISTRICT OF COLUMBIA
ANITA C. COCHRAN, OF NEW YORK
LINDSAY COLDWELL, OF VIRGINIA
PATRICIA CONNOR, OF VIRGINIA
MARLO SALAITA CROSS-DURRANT, OF THE DISTRICT OF COLUMBIA
DANIEL WILLIAM CUNNANE, OF VIRGINIA
CHRISTINE E. CUOCO, OF VIRGINIA
MARY C. CYPRESSI, OF PENNSYLVANIA
JOHN P. DAVIES, OF VIRGINIA
MARIA C. DEC, OF VIRGINIA
ANTHONY DELLADONNA, OF VIRGINIA
DAN DEMING, OF VIRGINIA
ELIZABETH A. DREELAND, OF ARIZONA
ELISABETH F. EL-KHODARY, OF MARYLAND
MARK C. ELLIOTT, OF MARYLAND
ANTHONY L. ETTISON, OF MARYLAND
JOHN V. FAZIO, OF ILLINOIS
BENJAMIN MICHAEL FEHRMAN, OF NORTH CAROLINA
JOSEPH P. FERGUSON, OF FLORIDA
PAUL I. FISHBEIN, OF CALIFORNIA
PAUL R. FLEMING, OF MICHIGAN
JENNIFER R. GARCIA, OF VIRGINIA
KARINA GABRIELA GARCIA, OF CALIFORNIA
COURTNEY L. GATES, OF CALIFORNIA
JOHN HUNTER GRAY, OF CALIFORNIA
MARINA VISHNEVETSKY GRAYSON, OF TEXAS
COLIN GUARD, OF WASHINGTON
NATHANIEL SHERMAN HAFT, OF OHIO
ALLYSON HAMILTON-MCINTIRE, OF KENTUCKY
ANNE LOUISE M. HANSON, OF VIRGINIA
KAYLEA J. HAPPELL, OF THE DISTRICT OF COLUMBIA
MARK W. HARDY, OF VIRGINIA
BYRON CLEMENT HARTMAN, OF VIRGINIA
TYSON P. HINDS, OF VIRGINIA
THEODORE HO, OF CALIFORNIA
ALEXIS J. HUFF, OF CALIFORNIA
KENNETH H. ILGENFRITZ, OF VIRGINIA
DANIELA STEFANOVA IONOVA-SWIDER, OF FLORIDA
KENDALL D. JACKSON, OF WEST VIRGINIA
BRIANA NICOLE JONES, OF THE DISTRICT OF COLUMBIA
JEFF JUNG, OF CALIFORNIA
HIRAM K. KELIIPIO, OF VIRGINIA
AKBAR KHALID, OF VIRGINIA
WALID N. KILDANI, OF VIRGINIA
YUKI KONDO-SHAH, OF ARIZONA
PATRICK E. KOUCHERAVY, OF VIRGINIA
LAURIE ANNE KURIAKOSE, OF ILLINOIS
JESSIE MARIE KUYKENDALL, OF OKLAHOMA
REBECCA A. LARSON, OF THE DISTRICT OF COLUMBIA
JAIME FAYE LEBLANC-HADLEY, OF TEXAS
ALEX VLADICHAK LITICHEVSKY, OF NEW JERSEY
AMY L. LOPRETE, OF MARYLAND
CESAR MARINES, OF VIRGINIA
JAMES MCDONNELL, OF THE DISTRICT OF COLUMBIA
MONTY RUSHMOORE MCGEE, OF VIRGINIA
SEAN P. MCGUIRE, OF VIRGINIA
SUTTON ADELL MEAGHER, OF THE DISTRICT OF COLUMBIA
ANNE-MARIE G. MELANSON, OF VIRGINIA
RONALD MENDEZ, OF TEXAS
VICTORIA S. MEURET, OF VIRGINIA
CAMERON SCOTT MILLARD, OF WASHINGTON
JARED R. MILTON, OF VIRGINIA
AMY RACHEL MONSARRAT, OF VIRGINIA
JOSEPH J. MOTYLESKI, OF VIRGINIA
JONATHAN G. NADZAM, OF VIRGINIA
EMMA MARISKA NAGY, OF CALIFORNIA
BRANDON K. NOLEN, OF THE DISTRICT OF COLUMBIA
MARK W. OKIISHI, OF VIRGINIA
HANEEF L. OMAR, OF MARYLAND
STEPHEN J. OSULLIVAN, OF VIRGINIA
BENJAMIN OVERBY, OF NEVADA
JANE JIHYE PARK, OF VIRGINIA
JULIANNE NICOLE PARKER, OF FLORIDA
GREGORY PARNELL, OF VIRGINIA
SAPNA K. PATEL, OF TEXAS
THOMAS BENJAMIN PERKOWSKI, OF THE DISTRICT OF COLUMBIA
RYAN EVAN PETERSON, OF VIRGINIA
JEFFREY PRENGER, OF MARYLAND
DAVID A. RASMUSSEN, OF VIRGINIA
MICHAEL F. RENEHAN, OF MARYLAND
KELLI A. RETTINGER, OF VIRGINIA
MICHAEL CLINTON RILEY, OF NORTH CAROLINA
BRADY E. ROBERTS, OF TEXAS
SCOTT N. ROFFMAN, OF MICHIGAN
CARRIE M. ROMOSER, OF VIRGINIA
VANESSA N. ROZIER, OF CONNECTICUT
ANDREA L. RUSCHENBERG, OF VIRGINIA
ANASTASIA J. SADOWSKI, OF VIRGINIA
PATRICK SALZWEDEL, OF NORTH CAROLINA
ALEKSEY SANCHEZ, OF FLORIDA
DAVID M. SCHORR, OF IDAHO
LEAH J. SEVERINO, OF CALIFORNIA
AHMED SHAMA, OF NEW YORK
JEFFRY HOWARD SHELDON, OF MONTANA
MARK T. SHEN, OF VIRGINIA
ANDREW TODD SHEPARD, OF FLORIDA
CHRISTINA TERRILL SKIPPER, OF VIRGINIA
KEVIN W. SMITH, OF VIRGINIA
ALESIA L. SOURINE, OF MICHIGAN
CRYSTAL SPEARMAN, OF TEXAS
MAX JOSEPH STEINER, OF CALIFORNIA
WILLIAM JOHN STEINMETZ, OF VIRGINIA
ALEX STEWART, OF VIRGINIA
REBECCA JOY STEWART, OF THE DISTRICT OF COLUMBIA
RAEJEAN K. STOKES, OF CONNECTICUT
WILLIAM STROUD, OF VIRGINIA
MICHAEL JOHN SULESKI, OF VIRGINIA
IVAN SUSAK, OF VIRGINIA
ROBERT T. SUTTER, OF THE DISTRICT OF COLUMBIA
PAMELA M. TADKEN, OF MARYLAND
KARLA THOMAS, OF WASHINGTON
MARKUS A. THOMI, OF NEW YORK
SAMUEL H. THOMPSON, OF VIRGINIA
LEAH THORNSTENSON, OF TEXAS
NICHOLAS J. UNGER, OF CALIFORNIA
TODD WILLIAM UNTERSEHER, OF LOUISIANA
JENNIFER L. VANWINKLE, OF IOWA
JUAN MANUEL VAZQUEZ, OF WASHINGTON
SUSAN RIVERS VESEL, OF VIRGINIA
VANESSA LISBETH VIDAL CASTELLANOS, OF CALIFORNIA
ANN MARIE WARMENHOVEN, OF FLORIDA
BRYAN D. WEISBARD, OF VIRGINIA
ROBERT C. WHEELER, OF VIRGINIA
LEE VINCENT WILBUR, OF SOUTH DAKOTA
JACQUELINE K. WILSON, OF OREGON
PETER BRENNER WINTER, OF NEW MEXICO
KEVIN WONG, OF VIRGINIA
WILLIAM H. WYCHE, OF VIRGINIA
MARK K. YANG, OF VIRGINIA

THE FOLLOWING NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR, EFFECTIVE JANUARY 1, 2012:

DANIEL MENCO HIRSCH, OF MARYLAND

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LORI J. ROBINSON

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

MATTHEW W. ALLINSON
JULIE A. ANDERSON
DOUGLAS W. ARENDSEE
BORIS R. ARMSTRONG
JOHN P. ASCHERL
PETER M. BALOGH
STEVEN H. BENDEN
JOHN WALLACE BRADLEY III
TODD MARLYN BRANDEN
KRISTIN KENDALL BRAWLEY
PETER JAMES BROWNING
BRIAN TAYLOR BURGER
ROBERT A. BURRIS
SHAWN R. BURRUS
JAMES D. BYERLY

MARK COLIN CARRIER
CHRISTOPHER SCOTT CROXTON
KEVIN ROBERT CURLEY
MARK T. DOLL
TIMOTHY A. DONOFRIO
KEVIN M. DONOVAN
DOUGLAS C. EOUTE, JR.
SCOTT PHILIP FEDERICO
MICHAEL K. FIELDS
JOHN E. FLOWERS
VINCENT RAY FRANKLIN
JARROD KEITH FRANTZ
MARSHAL S. FURR
SCOTT A. GRAHAM
WILLIAM ROBERT GRIFFIN
BRUCE P. HAMILTON
PAIGE E. INSCOE
BRADLEY ALLEN JACKSON
CHARLES G. JEFFRIES
EDWARD S. JONES
MARTIN KEINER
JOHN M. KELLY
HEIDI L. KJOS
ROBERT D. KOSCIUSKO
TERRENCE LEONARD KOUDELKA
GREGORY WILLIS LAIR
RONALD S. LAMBE
MICHELE KIM LAMONTAGNE
THOMAS S. LILLY
JEFFREY E. MAPLE
TIMOTHY WILLIAM MARKOWITZ
CHRISTOPHER MARTIN MAUK
ROBERT PETER MCCLOY
MICHAEL E. MCDONALD
CHRISTOPHER G. MCGRAW
DONALD V. MCGUIRE
KEITH G. MILLER
JAMES E. MOLLET
RODNEY E. NEELY
ERICK A. OLSEN
DUKE A. PIRAK
FRANCIS P. POLLOCK
CRAIG A. REZAC
JAMES PAUL ROWLETT
JON STEWART SAFSTROM
STEPHANIE S. SAMENUS
DOMENICO SARNATARO
MICHAEL JAY SHENK, JR.
WILLIAM L. SHERRILL, JR.
MARC ALLEN SICARD
JUSTIN BOWDLE SMITH
WENDEL ALAN SMITH
LISA K. SNYDER
MICHAEL PATRICK STEINDL
GARY SCOTT STERE
CHRISTAN L. STEWART
SCOTT WELDON STRATTON
JOHN D. SULLIVAN
KATHLEEN M. SULLIVAN
TODD E. SWASS
RICHARD A. TAITO
ELENA GAIL THOMPSON
JOHN A. TRAUTMAN
BLAKE PAUL UHL
RONALD JAY VESTMAN
APRIL D. VOGEL
DAVID BRYANT WALKER
GENT WELSH, JR.
WALLY MARK WERNER
JEFFREY D. YOUNG

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT W. HANDY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

JAMES T. SEIDULE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARK A. NOZAKI
MATTHEW D. RAMSEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHRISTOPHER J. CUMMINGS
CRAIG DENNEY
JERE G. DIERSING
DUANE M. DREESEN
CHARLES E. FEBUS
JACQUELINE J. JACKSON
WILLIAM J. KOON
PATRICK N. LEDUC
GREGORY E. MAGGS
JAMES J. MESKILL, JR.
RANDOLPH O. PETGRAVE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

ANTHONY C. ADOLPH
ROBERT E. BARNSBY
BRIAN J. CHAPURAN
CHRISTOPHER C. COX
LAWRENCE A. EDELL II
TIMOTHY A. FURIN
STEVEN A. GARIEPY
BRIAN P. GAVULA
PAUL E. GOLDEN, JR.
DANIEL D. GRIESER
BENJAMIN K. GRIMES
MATTHEW R. HOVER
ELLEN S. JENNINGS
DANYELE M. JORDAN
JOHN L. KIEL, JR.
JOSEPH B. MACKEY
SEAN F. MANGAN
CHRISTOPHER E. MARTIN
STEPHEN W. MCGAHA
WILLIAM E. MULLEE
KRISTIAN W. MURRAY
STEVEN C. NEILL
AMY J. NELSON
ALEXANDER N. PICKANDS
DEBORAH E. PIKE
KAREN W. RIDDLE
SARA M. ROOT
YVONNE L. SALLIS
SHAWN D. SMITH
ROBERT C. STELLE
JOHN H. STEPHENSON II
JEFFREY S. THURNHER
SCOTT T. VANSWERINGEN
SEAN M. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RONALD L. BAKER
JAMES R. BECKER
MICHAEL J. BELL
MARK S. BENNETT
VANESSA N. BENSON
TODD S. BERTULIS
CHRISTOPHER J. BEVERIDGE
MORRIS L. BODRICK
SHAWN M. BOLAND
ROBERT J. BRINKMANN
RONALD D. BROWN, JR.
LESLIE F. CABALLERO
JEFFERY A. CARTER
ALLEN T. CASSELL
RILEY J. CHERAMIE, JR.
RONALD CHILDRESS, JR.
STEVEN B. CLARK
ALTON B. CLOWERS, JR.
ANTHONY S. COLE
ROBERT M. COLLINS
MICHAEL A. CORTEZ, JR.
COURTNEY P. COTE
JASON T. CRAFT
HUBERT D. DAVIS
ROBERT J. DAVIS, JR.
ROBERT A. DAWSON
CHARLES DEMERY
GEOFFREY C. DETINGO
WILLIAM T. DRAPER, JR.
LAYTON G. DUNBAR, JR.
THOMAS C. ELLIS
EDWARD L. ENGLISH
PAUL R. FISCUS
RHONDA L. FISHER
MARK A. FITCH
ERIC B. FLEMING
KAREN G. FLEMING
DARWIN A. FRETT
ROLAND M. GADDY, JR.
JOE D. GANN
GARY E. GILLON, JR.
THOMAS B. GLOOR
KATHERINE J. GRAEF
LANCE B. GREEN
ELIZABETH R. GRIFFIN
BRANDON L. GRUBBS
WILLIAM E. HAAS
CHRISTINE A. HACKETT
FRANCES A. HARDISON
TERRECE B. HARRIS
CHRISTOPHER S. HART
SEAN M. HERRON
TOMMIE HEWITT, JR.
JOHN J. HICKEY III
ANGELIA K. HOLBROOK
JANET R. HOLLIDAY
ANGELA M. HOLMES
RODNEY H. HONEYCUTT
KAROLYN I. HOOPER
DAVID J. HOSNA
HEIDI J. HOYLE
REED E. HUDGINS
FREDERICK J. HUGHES IV
HARRY H. HUNGERFORD III
KEITH E. IGYARTO
JAMES JENNINGS
STEVEN J. KELLER
KENNETH C. KELLEY
ALAN G. KELLOGG
STUART A. KIDDER
PATRICK A. LAMB
JONG H. LEE
TIMOTHY D. LUEDECKING
CHRISTOPHER S. LUEKENGA
EDWARD D. MADDOX
MARY L. MARTIN
CHARLES H. MAY
WILLIAM H. MCCAULEY V
MICHAEL T. MCTIGUE
DEAN A. MEINERT
MATT G. MELVIN
RICHARD L. MENHART
ANDREW T. MERGENS
MICHAEL W. MILNER
JEFFREY S. MURRAY
JOSEPH A. MYRDA, JR.
KEVIN M. NASH
BRIAN P. ONEIL
MARC A. ORR
ROBIN E. PARSONS
TAMATHA A. PATTERSON
TIMOTHY U. PHILLIPS
RICHARD M. PIERCE
DOUGLAS P. PIETROWSKI
LEON G. PLUMMER
DAVID J. PRESTON
RONALD R. RAGIN
MELINDA S. A. ROMERO
JAMES P. ROSS
MATTHEW H. RUEDI
WILLIAM M. RUSSELL
ANTHONY J. SANCHEZ
RYAN E. SAW
JAMES W. SCHIRMER
MATTHEW P. SHATZKIN
ERIC P. SHIRLEY
CRAIG A. SIMONSGAARD
STANLEY J. SLIWINSKI, JR.
SYDNEY A. SMITH
THOMAS M. SPENARD
CHARLES M. STEIN
MAURICE H. STEWART
MARVIN M. THORNTON, JR.
STACY S. TOWNSEND
CAROL M. TSCHIDA
JOHN S. H. TURNER, JR.
SCOTT A. TYLER
DOUGLAS M. VALLEJO
REID E. VANDERSCHAAF
ROBERT M. VILLALOBOS
ERIK C. WEBB
JOSEPH C. WELLER
TIMOTHY P. WHITE
JAMAL E. WIGGLESWORTH
HOPE F. WILLIAMS
LISA M. WILSON
LITONYA J. WILSON
ANTHONY M. WIZNER
DONALD K. WOLS
MICHAEL T. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

TERRY L. ANDERSON
KRIS A. ARNOLD
JAMES M. ASHFORD
DONALD R. BAKER
JAMES W. BAKER
HASHEM BAYATPOOR
RAUL C. BENITEZ
DAVID M. BENNETT
NANCY E. BLACKER
CHRISTINA M. BLOSS
JOHN J. BONIN
THOMAS A. BOONE
DONALD L. BRAY
JACQUELINE D. BROWN
LAWRENCE T. BROWN
TIMOTHY W. BUCHEN
EDWARD F. BUCK, JR.
ROBERT M. BURRELL
DYLAN M. W. CARLSON
MICHAEL D. CHANDLER
JEFFREY D. CHURCH
THOMAS J. CLANCY, JR.
WILLIAM D. CONNER
THOMAS W. COOK
ROBERT A. CULP II
ABBAS K. DAHOUK
CHARLES P. DALY
KETTI C. DAVISON
PAUL L. DECECCO
GARY M. DEFORE
JAMES D. DENARDO
EDWARD V. DESHIELDS, JR.
DWAYNE A. DICKENS
THOMAS E. DILLINGHAM
MATTHEW A. DIMMICK
ROBERT S. DIXON
PATRICK O. DOYLE
MICHAEL F. DUPRA
JOHN F. ELLIS
DOUGLAS M. FAHERTY
ROBERT L. FANELLI, JR.
ROBYN E. FERGUSON
BARBARA R. FICK
DAVID P. FILER
KENNETH S. FU
PATRICK W. GINN
MARK S. GORAK
DUANE K. GREEN
ANDREW O. HALL
BRIAN S. HALLORAN
JEFFERY A. HANNON
DAN R. HANSON
LORENZO HARRIS
THOMAS W. HAUSER
GARRETT D. HEATH
CHARLES J. HEIMANN
ERIC T. HEIST
JOSEPH L. HILFIKER
EDWARD J. HUNTER

RYAN M. JANOVIC
JEFFREY L. JENNETTE
DOUGLAS D. JONES
SOMPORT JONGWATANA
PATRICK A. KELLEY
JOHN W. KENNEDY III
RANDALL R. KLINGAMAN
BRIAN T. LAMSON
ERIC J. LARSON
SCOTT D. LATHROP
KELLY S. LAURITZEN
JOHN C. LEE
STEVEN M. LEONARD
GEORGE E. LEWIS III
VINCENT R. LINDENMEYER
BRIAN E. LINVILL
TERRY L. LOVE
LYNN A. LUBIAK
STEPHEN C. MA
ROBERT S. MATHERS
DANIEL J. MCCARTHY
WILLIAM G. MCDONOUGH III
JAMES G. MCFADDEN
ROLLIN L. MILLER
CHRISTOPHER C. MITCHINER
IVAN MONTANEZ
CRAIG D. MORROW
PATRICK D. MORROW
MATTHEW D. MORTON
PATRICK J. MULLIN
JAMES M. MYERS
EARL S. NAKATA
LANDY T. NELSON, JR.
MARK D. NELSON
TIMOTHY P. NORTON
MARK E. ORWAT
JAMES S. OVERBYE
MICHAEL E. PANKO
CHARLES R. PARKER
JACQUELINE L. PATTEN
CHRISTOPHER A. PATTON
FADI J. PETRO
JENNIFER B. PIOLO
GEORGE A. PIVIK
TIMOTHY D. PRESBY
JOHN D. PRICE
DAVID M. PURSLEY
RICHARD J. QUIRK IV
TROY A. RADER
GREGORY E. RAWLINGS
MICHAEL D. RAYBURN
MARCUS A. REESE
MICHAEL J. REPETSKI
GARY G. RIDENHOUR
KEITH M. RIVERS
ARVESTA P. ROBERSON II
STEPHEN C. ROGERS
TRAVIS E. ROOMS
TRACY L. ROOU
MARK E. ROSENSTEIN
JOHN P. RUEDISUELI
LEE R. SALMON
PETER J. SCAMMELL
SWILLING W. SCOTT, JR.
GEORGE H. SEAWARD
DOVER SEAWRIGHT
MICHAEL E. SENN
KRAIG E. SHEETZ
KRISTIAN E. SMITH
FRANK J. SNYDER
MATTHEW V. SOUSA
MICHAEL P. STELZIG
BRIAN J. STOKES
DEREK L. STREETER
CRAIG J. TIPPINS
THOMAS E. TOLER
TUAN T. TON
JAMES D. TURINETTI IV
BRETT M. TURNER
JASON J. TURNER
STEPHANIE J. TUTTON
MARTHA S. VANDRIEL
STEPHANIE D. VAUGHN
GERARD A. VAVRINA
SHELLEY L. VOLKWEIN
PATRICK L. WALDEN
CHARLES A. WALTERS, JR.
GERALD S. WELLS, JR.
DAVID R. WILLS
JAMES L. WILMETH IV
JOHN F. WINTERS
RAY P. WOJCIK
JEFFREY T. WYATT, SR.
HAROLD P. XENITELIS
PAUL B. ZEPERNICK
FRANCESCA ZIEMBA
D005130
D005382
G001036
G001094

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOSE L. AGUILAR
BLACE C. ALBERT
CHRISTOPHER E. ALBUS
GREGORY K. ANDERSON
DAVID R. APPLEGATE
NICHOLAS D. ARATA
GREGORY A. BAKER
MICHAEL A. BALL
MARTIN J. BARR
CHRISTOPHER J. BARRON
DANIEL J. BARZYK
DANIEL G. BEATTY
CHRISTOPHER G. BECK
ERSKINE R. BENTLEY II
SEAN C. BERNABE
CRAIG BERRYMAN
GEORGE M. BOND
GERALD A. BOSTON
DAVID W. BOTTCHER
MICHAEL A. BOTTIGLIERI
FRANK W. BREWSTER II
DETRICK L. BRISCOE
DOUGLAS L. BROCKHARD, JR.
MARTHA K. BROOKS
DONALD M. BROWN
EDMOND M. BROWN
ERIK M. BROWN
TIMOTHY D. BROWN
JOHN G. BUCK
MICHAEL F. BURNS III
DEAN E. BUSHNELL
CURTIS A. BUZZARD
DAVID S. CANNON
CAMERON M. CANTLON
CHRISTOPHER J. CARDONI
WILLIAM J. CARTY
PHILLIP A. CHAMBERS
JANICE H. CHEN
CHRIS W. CHRONIS
KEVIN F. CIOCCA
RALPH L. CLAYTON III
RICHARD E. CLEVELAND
MARK A. COLBROOK
JOHN R. COOK
GERY B. CUMMINGS
JOHN M. CYRULIK
BARRY E. DANIELS, JR.
MICHAEL J. DANIELS
JAMES A. DAVEL
JOHNNY K. DAVIS
JOHN P. DELANEY
ANTHONY G. DEMARTINO
THOMAS A. DENZLER
JOHN P. DIGIAMBATTISTA
BRIAN E. DILLON
CHRISTOPHER M. DONESKI
DAVID S. DOYLE
CHRISTOPHER T. DREW
JOSEPH M. DUNCAN
MATTHEW L. EICHBURG
MARCUS S. EVANS
JERRY L. FARNSWORTH II
CEDRICK A. FARRIOR
DAVID G. FIVECOAT
LEE A. FLEMMING, JR.
DAVID S. FLYNN
MITCHELL D. FRANKS
ANNA R. FRIEDERICHMAGGARD
RICHARD A. FROMM II
PATRICK L. GAYDON
JAMES E. GAYLORD, JR.
SCOTT R. GERBER
DARREN S. GERBLICK
ERIK O. GILBERT
JAYSON C. GILBERTI
LYNDA M. GRANFIELD
SCOTT A. GREEN
ROSENDO T. GUIEB
THOMAS B. GUKEISEN
JOHN W. HAEFNER
SCOTT W. HALSTEAD
SCOTT J. HALVERSON
BRIAN J. HAMMER
THOMAS E. HANSON
DAVID W. HARDY
ROBERT J. HARMAN, JR.
JOHN T. HARRIS
PATRICK L. HARVEY
ANTHONY J. HEALEY
ROGER P. HEDGEPETH
MICHAEL B. HEDGES
JOHN C. HERMELING
SALOME HERRERA, JR.
JOHN M. HINCK
KELLY E. HINES
BRYAN J. HOFF
JOSEPH C. HOLLAND
TIMOTHY W. HOLMAN
SCOTT G. HOOPER
WOODARD B. HOPKINS
MICHAEL P. HOSIE
EDWARD B. HOUSTON
CALVIN C. HUDSON II
TIMOTHY D. HUENING
KELLY W. IVANOFF
ISAAC O. JOHNSON
STEVEN R. JOHNSON
WILLIAM B. JOHNSON
GUY M. JONES
MONROE C. JONES
ANTHONY G. JUDGE
MICHAEL A. JUNOT
JAMES W. KAINE
DANIEL F. KELLEY, JR.
ROBERT M. KIRILA
HOWARD C. KIRK IV
JASON A. KIRK
JAY F. KLAUS
KENNETH J. KLIETHERMES
JOHN D. KLINE
CHARLES D. KRUMWIEDE
KEVIN P. LANDERS, SR.
KEVIN C. LEAHY
DAVID S. LEE
RODGER S. LEMONS
MARK S. LEVINE
VERNON F. LIGHTNER
OTTO K. LILLER
MICHAEL J. LOOS
JAMES P. LOWE
STEPHEN J. LUTSKY
JAMES W. MACGREGOR
KYLE J. MARSH
CHARLES J. MASARACCHIA
NICK S. MAULDIN
MICHAEL C. MCCURRY II
ERIC M. MCFADDEN
JAMES M. MCGOVERN
RICHARD J. MCNORTON
WILLIAM A. MEDINA
JOHN V. MEYER III
PATRICK R. MICHAELIS
DUANE R. MILLER
JEREMY B. MILLER
CHARLES D. MILLS
KENNETH J. MINTZ
ANTHONY P. MITCHELL
CHARLES S. MITCHELL
ROBERT J. MOLINARI
JEFFREY B. MULLINS
ANTONIO V. MUNERA
THOMAS E. MUNSEY
RICHARD R. NAVARRO, JR.
ERICA C. NELSON
JOHN S. NELSON
QUINCY E. NORMAN
WILLIAM T. NUCKOLS, JR.
JOHN W. NUTT
BRYAN W. OBARR
MORGAN D. OROURKE
CARL J. PACKER
DONALD C. PADGETT
JOHN M. PAGANINI
DAVID H. PATTERSON, JR.
SHANA E. PECK
MICHAEL D. PELOQUIN
WILLIAM B. PENLAND
KRIS N. PERKINS
MICHAEL P. PETERS, JR.
MICHAEL J. PHILBIN
FREDERICK E. PRINS
KEVIN J. QUARLES
PAUL P. REESE
ANDREW T. RENDON
IAN C. RICE
THOMAS S. RICKARD
LEONARD ROSANOFF
THOMAS G. ROWELL, JR.
MICHAEL D. RUNEY
JOSEPH A. RYAN
MARK E. SCHMITT
DONALD P. SCHURR
THOMAS J. SHEEHAN
JEFFREY M. SHOEMAKER
ALAN B. SHOREY
HUGH D. SHOULTS
MICHAEL J. SIMMERING
DAVID G. SINK
CHAD D. SKAGGS
JASON L. SMALLFIELD
DALE R. SMITH
JOHN L. SMITH
FRANK K. SOBCHAK
JEFF R. STEWART
ALBERT H. STILLER
CHRISTOPHER STONE
ALAN C. STREETER
FLEMING T. SULLIVAN
BRETT G. SYLVIA
KENNETH J. TAUKE
GRADY S. TAYLOR
WILLIAM D. TAYLOR
MATTHEW T. TEDESCO
MAXWELL S. THIBODEAUX
WILLIAM L. THIGPEN
JEFFERY B. THOMPSON
RONALD L. TUCKER, JR.
JERRY A. TURNER
MATTHEW R. TYLER
RICHARD P. ULLIAN
ANDREW C. ULRICH
ROBERT V. URQUHART, JR.
SHAWN M. VAIL
MATTHEW J. VANWAGENEN
DOUGLAS C. VANWEELDEN III
DOUGLAS G. VINCENT
THOMAS VONESCHENBACH
CAREY M. WAGEN
JOHN P. WANAT
JAMES A. WANOVICH
HEATHER J. WARDEN
STEVEN H. WARREN
TODD R. WASMUND
JEFFREY W. WHITE
ALAN A. WIERNICKI
THOMAS M. WILLIAMS
CHRISTOPHER R. WILLIS
DANIEL B. WILSON
ROBERT L. WILSON
ROBERT C. WITTIG
DAVID B. WOMACK
DAVID M. WOOD
HARRY T. WOODMANSEE III
MATTHEW C. ZIMMERMAN
D010875
D002780
D002807
D006212
D002977
D005615

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

DAVID SAMMETT

To be lieutenant commander

CENDIE R. CRAWLEY
TIMOTHY R. DURKIN

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

TIMOTHY R. ANDERSON
CARICE J. BRANTLEY
MATTHEW P. BROUILLARD
DAVID E. BYRNE
ADAM R. CADOVIUS
JOSEPH A. CAMPBELL
MICHAEL G. CHARNOTA
SHANE V. COOK
AARON D. COUDRAY
CHON B. DAREING
JAMES P. DUVALL
JAMES M. ELMORE II
RICHARD R. EMERSON
SHANE M. FOX
ROBERT L. FRANKLIN III
JASON R. HARR
NEAL HEATON
MICHAEL J. HELLARD
ROBERT INMAN
JEREMY L. JAMES
DEVINE JOHNSON
JAMES H. KEPPER IV
ROBERT W. KULISAN
JOHNNY R. LYKINS, JR.
AARON P. MALE
JEREMY C. MEDLIN
ERIK A. NYHEIM
MICHAEL P. QUARG
ROBERT RAGON
JEFFREY W. RANSOM
GRANT H. RIEDL
CHRISTOPHER W. ROSE
MICHAEL SARRAILLE
SAMUEL M. SCOVILL
JOSEPH F. WALTER
GEORGE B. WATKINS

EXTENSIONS OF REMARKS

HONORING DEBORAH KHALILI

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. BOEHNER. I rise today to honor an employee who is retiring after four decades of distinguished service to the House. Deborah Woodard Khalili of the Office of the Parliamentarian's Office of the Compilation of the Precedents will retire at the end of November.

A Virginia native, Debby Khalili came to the Office of the Compilation of the Precedents from the Library of Congress to assist with the production and development of Deschler's Precedents in the fall of 1973. She has remained with the office since that time, exhibiting exemplary service under five Parliamentarians, eight Speakers, and eight Presidents.

Debby has helped with the production of all 18 volumes of Deschler's Precedents, encompassing 41 chapters of House precedent. She is the sole staff member to cover the entirety of the project's tenure, working from the days of hot-metal type to the digital age. She has worked closely with fifteen legal editors during her time with the project, allowing the Deschler's Precedents volumes to maintain a consistent editorial quality standard throughout its development.

In addition, Debby has assisted in the biennial production of the House Rules and Manual and all three versions of House Practice. However, her most lasting and important contribution has been preserving the House precedents for more than twenty Congresses. She leaves behind a detailed and rich historical record, one that will be used by the Office of the Parliamentarian and by legal scholars for decades to come.

A wealth of institutional knowledge will depart the House upon Debby's retirement. I thank her for her service and wish her well in her retirement with her husband, Hassan, and her children Ramin and Meena.

HONORING BILL MASTERSON, JR., PUBLISHER OF THE TIMES MEDIA COMPANY OF NORTHWEST INDIANA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with profound respect and admiration that I stand before you today to honor Mr. Bill Masterson, Jr., for his remarkable success as Publisher of The Times Media Company of Northwest Indiana, as well as for his devotion to professional and ethical business and community leadership. Bill was named Publisher of the Year 2012 by Editor & Publisher, a monthly international publication covering the newspaper industry. Bill will be honored at a reception sponsored by the Northwest Indiana Forum on Thursday, November 29, 2012, at the Briar Ridge Country Club in Schererville, Indiana.

Bill Masterson, Jr., was named Publisher of the Year 2012 by the Editor & Publisher editorial board. Publishers from across the nation, and as far as Germany and Nigeria, were nominated by their employees and peers for this prestigious honor. In this era of expanding technology and economic difficulty, the newspaper industry has been forced to make significant adjustments in order to compete with the revenue, marketing, and demographic challenges facing traditional ink-on-paper media. For his ability to think outside the box and his innovative approach to shift the role of the local newspaper within the community of Northwest Indiana, Bill certainly exemplifies the qualities of a true leader and is a worthy recipient of this award.

Bill's publishing career spans twenty-five years. In 2006, Mr. Masterson became Publisher of The Times Media Company of Northwest Indiana and was recently promoted to Vice President of Publishing for Lee Enterprises, Incorporated, the parent company of The Times. While he will continue to serve as Publisher of The Times Media Company of Northwest Indiana, in his new position, Bill and three other vice presidents will oversee print and digital operations for Lee Enterprises in twenty-three states. Under his leadership at The Times, Bill has been able to increase revenue while avoiding major staff cuts. He has cultivated an environment of innovation and continues to provide high-quality content to readers.

The changing role of the local newspaper within the community motivated Mr. Masterson to create "One Region: One Vision," which strives to improve the quality of life for the people of Northwest Indiana. The movement was launched five years ago and brings together local business, political, and community leaders in order to promote positive change within the community. The program has led to urban revitalization, a bimonthly mayor's roundtable discussion, the establishment of a health care council, and it has helped to increase community involvement and awareness. Bill also serves on the executive board of directors for the Barden of Gary Foundation and the Boys and Girls Clubs of Northwest Indiana, where he initiated a campaign to raise funds for a new Boys and Girls Club and community center in Gary, Indiana. To date, the campaign has raised more than $5.5 million.

Bill Masterson is the epitome of an excellent person of business. He innately understands and actively lives the words spoken by Jacob Marley in A Christmas Carol: "Mankind was my business. The common welfare was my business; charity, mercy, forbearance, and benevolence, were, all, my business." We are fortunate that he walks among us.

Bill's exceptional dedication to his field and to his community is exceeded only by his devotion to his amazing family. Bill and his beloved wife, Julie, have six wonderful children and three grandchildren.

Mr. Speaker, I respectfully ask that you and my other colleagues join me in congratulating Bill Masterson, Jr., on being named Publisher of the Year 2012. For his unwavering commitment to improving the quality of life for the people of Northwest Indiana and his remarkable career with The Times Media Company of Northwest Indiana, Bill serves as an inspiration to us all.

TRIBUTE TO MS. AMANDA ROGERS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute to Ms. Amanda Rogers who was born on April 17, 1997. Ms Rogers's tenacity to excel and kind heart have been emphasized through her community service and her academic achievements.

Ms. Rogers graduated from Pre School with the highest GPA at the school. She was valedictorian and she served with distinction as President of the Student Body, where she also tutored students with learning difficulties. She continued to excel academically while at Urban Assembly Institute School for Young Women in Science and Math. Ms. Rogers was Valedictorian once more and graduated with an impressive 99.2 GPA, achieving high scores in all of her Regents exams. It is worth noting that Ms. Rogers graduated from both elementary and intermediate schools with perfect attendance.

Ms. Rogers now attends Brooklyn College Academy where she finished her first year of high school receiving the highest Regent scores. Ms. Rogers continues to help her fellow students through tutoring. Next year, as a junior, she will be on Brooklyn College's campus taking courses towards an Associate's degree.

In addition to her educations, this former Girl Scout finds time to do community service work through several organizations. She is a two time recipient of the White House U.S. Presidential Award. She has studied Modern, African, Ballet, Hip-Hop, Tap and Belly Dancing.

Mr. Speaker, those who meet the young Ms. Rogers are taken by her humility and giving spirit. Ms Rogers aspires to become a doctor and with her determination we are sure that she will continue to excel and be an example of leadership to her peers.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Ms. Amanda Rogers.

79TH ANNIVERSARY OF THE UKRAINIAN FAMINE-GENOCIDE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. LEVIN. Mr. Speaker, this year marks the 79th anniversary of the Ukrainian famine-genocide, a tragedy that claimed the lives of an estimated 7 to 10 million Ukrainians between 1932 and 1933. I rise today to commemorate the lives of those who perished at the hands of Josef Stalin's Soviet Union and to remember the suffering of the Ukrainian people.

Using food as a weapon, Stalin's barbaric regime orchestrated a famine of genocidal proportions, attempting to suppress the Ukrainian nation by systematically starving its people. In 1932, the Soviet government confiscated Ukraine's grain crop as ''social property'' and executed anyone who resisted the seizure. Then, in an action that clearly reveals the murderous motivation behind the Soviet plan, the Red Army closed Ukraine's borders, sealing in the starving people who were trying to flee and shutting out any outside aid.

Unfortunately, the Ukrainian famine, referred to as the Holodomor, remains one of the least known human tragedies, in part because of generations of denial by the Soviet Union. By claiming the famine was the result of drought, food shortages, or other natural causes, the Soviet government engaged in a pernicious type of behavior that Holocaust survivor Elie Wiesel has called a ''double killing.'' The Soviet Union carried out a deliberate campaign between 1923 and 1933 to eliminate the Ukrainian nation, killing millions of victims, and in the subsequent years denied that it ever happened, attempted to kill the memories of the victims.

There should be no doubt that the Holodomor was manmade and deliberate, a fact that has been confirmed by evidence gained through the opening of the Soviet archives over the last decade. This evidence will help ensure that the horrors of the Ukrainian famine-genocide are never repeated and the memories of the victims are never forgotten.

Another way we are ensuring that the Holodomor remains in our collective consciousness is the creation of a memorial in our Nation's capital honoring the famine's victims. Set to open next fall, the Ukrainian Famine Memorial is the product of cooperation among the Congress, the Ukrainian Government, and the 1.5 million strong Ukrainian-American community. The memorial will provide a reminder to us all that tyranny must not go unchallenged and that victims of inhumanity must never be forgotten.

I urge my colleagues to join me in remembering the victims of the Holodomor on its 79th anniversary.

HONORING DIRECTOR JOE JUDGE UPON HIS RETIREMENT FROM THE SANTA CLARA VALLEY WATER DISTRICT

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise to acknowledge and honor Director Joe Judge upon his retirement from the Santa Clara Valley Water District.

Joe has been a Director at the Santa Clara Valley Water District since 1986, when the Santa Clara County Board of Supervisors appointed him as At Large Director to represent North County. He was elected to the Board of Directors in 1996 to represent District 2, which includes central and downtown San Jose, portions of East San Jose, and Willow Glen.

During his tenure, he served as vice chairman in 1995 and 2009. Joe also served as chairman in 1989, 1996, and 2004. Joe championed the importance of Santa Clara County's water supply and flood protection. He gained community support for eighteen flood protection projects totaling $529 million for District 2, including eight projects for the Guadalupe River, four projects for Calabazas Creek, mitigation plantings at the Children's Discovery Museum, erosion repair along the Los Gatos Creek, and the construction of a local child care center. He played a key role in the development of the Guadalupe River Park as a collaborative effort within the District.

While at the Santa Clara Valley Water District, he was able to help ensure that the county had a plentiful pure water supply, improve our water infrastructure, and preserve our watersheds, creeks, and trails. He advocated for state and federal policies to resolve long-standing Delta issues, including the restoration for the Delta ecosystem and a reliable Delta conveyance system.

Joe graduated from San Jose State University with a degree in business administration. He owns and operates his construction firm, Judge Construction. As a local businessman, he provided an open channel of communication between the business community and government, which advanced water conservation countywide. As a dedicated public servant for 26 years, his presence will be missed.

Director Joe Judge is retiring and I wish him all the best in the years to come. I commend Joe for his valuable service and wish him the best in his future endeavors. The community is very fortunate to have benefited from his expertise, passion, and commitment. He has left his mark in Santa Clara County.

100TH ANNIVERSARY OF SAINT JOSEPH THE WORKER CROATIAN CATHOLIC CHURCH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is my great pleasure to congratulate Saint Joseph the Worker Croatian Catholic Church in Gary, Indiana, as it celebrates its 100th anniversary as a parish on Sunday, October 14, 2012. I would also like to take this opportunity to congratulate Father Stephen Loncar, parish pastor, on this special occasion. The 100th anniversary festivities will begin with a Mass of Thanksgiving at 10 a.m. at the church, celebrated by the Most Reverend Dale J. Melczek, Bishop of Gary. After the service, a banquet will be held at the Croatian Center in Merrillville, Indiana.

I would also like to commend the members of the Saint Joseph the Worker Parish Council and Anniversary Committee for the work they have put forth in the planning of this momentous event. Members include: Robert Balash, John Benich, Larry Brown, Irene Flores, Glenda Garriot, Charlene Gyurko, Anne Krpan, Tom Lashenik, Carmen and Frances Lenzo, Cheryl Lenzo, Sam and Celeste Linde, Marta McCobb, Marian Nicksich, Peter Podnar, Charlene Reynolds, Joe Ruda, Nick and Esther Sanchez, Mike Stulac, Guy and Rose Sutton, Kathy Swanson, Rosella Tuszynski, Michael Velasco, and Paul Yurkas.

In 1906, Croatian immigrants, comprised mainly of small business owners and steel workers, arrived to the growing city of Gary, Indiana, seeking employment opportunities and a better quality of life. Upon arrival, the immigrants dealt with numerous obstacles and prejudices, including a difficult language barrier. In order to create a sense of community with the hope of preserving Croatian heritage and culture, they joined together to create their own parish, and in 1913, Holy Trinity Croatian Catholic Church was built. The church continued to grow over the years due to the unwavering dedication of its leaders and parishioners. By 1919, a parochial school was added under the leadership of Reverend Charles Jesih of Croatia. Due to the growing population, the church continued to expand, and by 1956, under the leadership of Father Venceslav Ardes, a new larger church was completed and consecrated Saint Joseph the Worker Croatian Catholic Church in Gary, Indiana. One hundred years ago, the immigrants longed for a parish where they could attend mass in their own language and today that practice remains. The pioneers would be proud to know that this tradition is still alive today.

The church continues to seek innovative ways to sustain the traditions and ideals of the Catholic Church throughout Gary and Northwest Indiana. In 2009, Saint Joseph the Worker joined in an alliance with the Gary Cluster Parishes, a group formed by pastors and commissions with the goal of maintaining the Catholic Church in Gary, Indiana.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in congratulating Saint Joseph the Worker Catholic Church on the 100th anniversary of its founding. Throughout the years, the leaders and parishioners of the church, both past and present, have dedicated themselves to preserving Croatian tradition and upholding the values of their Catholic religion. For their commitment to public service and for touching the lives of countless individuals, the leaders and parishioners are worthy of the highest praise, and I wish Saint Joseph the Worker Catholic Church many prosperous years to come.

TRIBUTE TO MS. ANGELA EDWARDS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute to Ms. Angela Edwards.

Ms. Edwards started her nursing career in 1983 at Port of Spain General Hospital. She received her diploma in Nursing in 1986 and immigrated to the United States in 1989. She received a Bachelor's degree at St. Joseph College and a Master Degree in Nursing from Teachers College at Columbia University.

Ms. Edwards then started work at Mount Sinai Medical Center in 1993 and in 1996 she received the Nursing Award for Nursing Excellence. Ms. Edwards' stand-out service helped her get promoted from Staff Nurse to Clinical Coordinator and finally Clinical Nurse Manager. Ms. Edwards also served as Clinical Director of Nursing at the Saint Vincent Medical Centers from 2008 until the center's closure in April 2010.

Ms. Edwards started work at Woodhull Medical Center and during her brief tenure she created and implemented a Quality Nursing Dashboard to monitor clinical, financial and human resources sensitive indicators. She was instrumental in creating an all RN model in the Medical Surgical units, thereby ensuring high quality care for out-patients and she implemented Focus Charting to ensure improved nursing documentation in acute care units. All these initiatives to improved patient care culminated with the Implementation of Primary Nursing Model, which is as a Best Practice at the Woodhull Medical Center.

All through her nursing career Ms. Edwards provided compassionate and quality care to all patients especially those without resources. Today, she continues to tirelessly work to eliminate health disparities among the communities she serves.

Ms. Edwards now serves as the Deputy Director of Nursing at the North Brooklyn Health Network were she leads the nursing team providing quality care for the Inpatient Unit which consists of Critical Care, Medical/Surgical, Behavioral Health and Maternal Child Health services.

Mr. Speaker, I would like to recognize Ms. Edwards for her contribution to the medical fraternity and our community.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Ms. Angela Edwards.

IN MEMORY OF DAISY LEA ALEXANDER KENNEDY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to commemorate the life of Daisy Lea Alexander Kennedy, the beloved wife of my dearest friend and Chief of Staff, Arthur "Art" W. Kennedy. Sadly, she passed away on November 21 2012. I am truly blessed to have known Daisy and my thoughts and prayers go out to Art, his family, and friends during this most difficult time.

Daisy was a loving wife and mother, a lifelong educator and mentor, and an active member of her community. Born on October 3, 1932 in Evergreen, Alabama to the late Delilah and Richard Alexander, she was the youngest of five children. At an early age, the family moved to Pensacola, Florida. Daisy was educated in the Escambia County Public School System and graduated from Booker T. Washington High School. She went on to attend Florida A&M University (FAMU), where she received both her undergraduate and graduate degrees.

With a great passion for teaching and mentoring, Daisy worked tirelessly for 37 years in the Broward County Public School System. She also played a critical role in her grandchildren's education, teaching them important skills such as writing, reading, and math.

Furthermore, Daisy was a faithful member of First Baptist Church Piney Grove since 1956. She sang soprano in the choir, started the noonday bible study, and held several leadership positions. These included being the first chairperson of the church directory, a past president of the Pastor's Aide, a former Sunday School Superintendent, a member of the hospitality committee, and an active member of the Missionary Circle of Mary of Bethany.

In addition, Daisy was a highly respected and admired member of the community, dedicating her time to numerous organizations. She was a strong supporter of the FAMU Alumni Association, the Golden Heights Neighborhood Association, the Kappa Silhouettes, and the Retired Teachers' Association.

On July 8, 1984, Daisy was united in holy matrimony to Art Kennedy. With this union came seven children, eighteen grandchildren, and nine great-grandchildren, plus one on the way.

Daisy leaves to cherish her wonderful memory a loving and devoted husband, Art; her children, Sharon Telfer of Winter Haven, Florida; Lennard Robinson, Sr. of Plantation, Florida; Janice (Jerome) Boger of Conyers, Georgia; Michael Bruce (Joyce Marie) Kennedy of Miramar, Florida; Vikki Johnson of New Carrollton, Maryland; Arthur (Yolanda) Kennedy of Fort Lauderdale, Florida; and Jill Kennedy of Plantation, Florida; her grandchildren, Patrick, Shante, Shannon, Daima, Danielle (Marcus), Trawick, Kendall, Bryce, David (Amanda), Kasey Korey, Kiara, Daniel, Lennard, Moriah, Marion, Rico, Alex, and Tyler; her great-grandchildren, Marcus, Kamari, Lauren, Elijah, Ayden, Cameryn, Khambrea, King, and Kennedy; two brothers, Henderson Alexander and William Crosby; one sister, Alberta Lewis; a host of nieces, nephews, and cousins; her goddaughter, Deetra Durham; two very special friends, Mary Ellen Sands and Jackie Hall; and countless others.

Mr. Speaker, for those of us whose lives she touched, Daisy Kennedy will always have a special place in our hearts. She will be remembered fondly and dearly missed.

JUDGE DOMINICK SPADACCINO

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise to today to honor the life of Judge Dominick Spadaccino who passed away recently at the age of 91. Judge Spadaccino will be remembered as one of the more colorful and unique characters to have served Bucks County. He served 23 years as a Magisterial District Judge in Middletown, PA before retiring in 1987. His service earned him a commendation from President Ronald Reagan.

Judge Spadaccino served in the U.S. Army Air Force in the China-Burma-India Theater of World War II along with his six brothers. He operated as a medical technician and earned a presidential citation for service, armed forces medal and distinguished service award. During his time in Bucks County, he was involved with the Uptown String Band in Hulmeville and was known for his lively wedding services.

He was described as a straightforward judge who was not afraid to speak his mind. He was known as a fair judge, who was respected for both his humorous nature and esteemed service to our community.

75TH ANNIVERSARY OF THE ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I recognize the Gary, Indiana Alumnae Chapter of Delta Sigma Theta Sorority for recently celebrating its 75th anniversary. The theme for the event was "Through the Looking Glass: A Supreme Record of Sisterhood, Scholarship and Service." In honor of this momentous occasion, a reception was held on Friday, October 19, 2012, at the Genesis Convention Center in Gary, Indiana.

Delta Sigma Theta Sorority, Incorporated, is a private, non-profit organization that was founded on January 13, 1913, by 22 students at Howard University in Washington, DC. The organization was founded in order to promote academic excellence and to assist the underserved population by providing scholarships, supporting community organizations, and by empowering people to fight for positive public policy. In one of their first public acts, the Delta founders participated in the Women's Suffrage March in Washington DC. on March 3, 1913. The Deltas were incorporated in 1930 and today, the sisterhood has over 200,000 female members and 900 chapters across the world.

Throughout the years, the sorority has continued to establish programs that strengthen the African American family and improve education, healthcare, and international development. The programs supported and developed by Delta Sigma Theta are based on the organizations five-point thrust that includes: economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement. Each program is coordinated by committees that work together to develop and implement this five-point thrust.

The Gary, Indiana, Alumnae Chapter has worked diligently to serve the city of Gary and all of Northwest Indiana. The Gary Alumnae chapter has created many innovative programs that have helped numerous people

throughout the community. Delta Days at Gary City Hall is a program that was created in order for chapter members to voice their concerns about issues affecting the community to the mayor, city council, and other elected officials. Every year, the Gary Chapter gives out five $1,000 scholarships to girls that attend Northwest Indiana schools. The mentoring program has been implemented to help students learn the importance of staying in school, setting goals, and making positive decisions. The Gary Alumnae Chapter contributes to the Maama Project, which supports efforts to help with the healthy and safe delivery of babies of women in Africa. For several years, the chapter has hosted a free Thanksgiving dinner feeding hundreds of people. There is so much that the chapter has accomplished over the years, and Northwest Indiana is not only proud but inspired by the good works of this outstanding organization.

Mr. Speaker, I want to thank the members of the Gary, Indiana, Alumnae Chapter of Delta Sigma Theta Sorority for the exceptional contributions they have made to the city of Gary, Northwest Indiana, and throughout the world. I ask you and my other distinguished colleagues to join me in congratulating the Gary, Indiana, Alumnae Chapter on the organization's 75th anniversary.

TRIBUTE TO THE HONORABLE CHARLES J. HYNES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise to celebrate and pay tribute to Charles J. Hynes for his important and respected commitment to his community as the District Attorney of Kings County.

Charles began his career in public service in 1963 as an associate attorney for the Legal Aid Society. In 1969, he joined the Kings County District Attorney's Office as an Assistant District Attorney. In 1971, he was named Chief of the Rackets Bureau and in 1973, he was promoted to First Assistant District Attorney.

In 1999, Mr. Hynes created the ComALERT, (Community And Law Enforcement Resources Together), public safety program which supports individuals on probation or parole as they re-enter their Brooklyn communities. In 2005, Mayor Michael Bloomberg and Mr. Hynes started a United States Department of Justice funded Family Justice Center—a one stop shopping service for victims of domestic violence and their surviving children.

Since 2000, District Attorney Hynes has served as a member of the American Bar Association. In 2008, he received the American Bar Association Award, ''Lawyer as Problem Solver,'' and the ''Cyrus R. Vance Tribute'' from The Fund for Modern Courts. In 2009, he was given the Diversity Championship Award by The New York City Bar Association. On November 3, 2009, Charles J. Hynes was reelected to his sixth term as the District Attorney of Kings County (Brooklyn), New York.

Mr. Hynes continues to demonstrate his commitment to public service and education by serving as an Adjunct Professor of Trial Advocacy at three New York City Law Schools. He was appointed to both St. John's and Brooklyn Law School in 1984, and Fordham University Law School in 1992.

Mr. Hynes is now spearheading a groundbreaking alternative-to-prison program for mothers and their children through a not-for-profit foundation named in honor of his mother, Regina Drew. The Drew Foundation is planning to operate the first residence of its kind in the country in which women will be permitted to remain with all of their children in a secure, community-based setting while receiving intensive trauma-focused, rehabilitative services.

District Attorney Hynes is a proud and lifelong resident of Brooklyn, where he was born and raised in the Flatbush section. He met his wife, Patricia L. Pennisi, a registered nurse, while they were undergraduate students. He attended St. John's University while she was at Kings County Hospital.

Mr. Speaker, I call on my colleagues to join me in recognizing the contributions and accomplishments of Mr. Charles J. Hynes.

NORTH MIAMI MUSEUM OF CONTEMPORARY ART

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize the North Miami Museum of Contemporary Art (MOCA) for receiving a 2012 National Medal for Museum and Library Service, our nation's highest honor conferred on museums and libraries for community service. MOCA's record truly embodies the essence of this award.

In addition to being a world-renowned art institution, MOCA houses various programs that support the South Florida community. MOCA has made a difference in thousands of lives through programs that help to curb drop-out rates, improve literacy, empower women and promote good behavior. For example, through ''Women on the Rise,'' MOCA trains local women artists to go into detention centers to teach female detainees how to express themselves through art. Furthermore, MOCA regularly hosts classes, workshops and seminars to promote lifelong learning.

Mr. Speaker, I ask my colleagues to join me in commending the North Miami Museum of Contemporary Art for having received a 2012 National Medal for Museum and Library Service and Director Bonnie Clearwater and her staff for their outstanding work.

IN HONOR OF ANDREW MICHAEL FREEMAN

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. PENCE. Mr. Speaker, it is with a heavy heart that I rise to mark the passing of Andrew Michael Freeman, a combat veteran from the Hoosier state who recently earned an honorable discharge from the United States Army. As our nation paused on Veteran's Day to honor those men and women in uniform who have served our country, the community of Anderson sadly mourns the loss of one of their own.

Andrew graduated from Anderson High School in 2004. In January 2009, Andrew enlisted in the United States Army and soon thereafter served in the 2nd Stryker Cavalry Regiment. While serving in Afghanistan, Andrew earned numerous distinctions, including several Army Achievement Medals and other awards for his dedication and hard work.

Andrew is survived by his father and stepmother, Stephen and Stephanie; his mother, Christina; his siblings, Amanda, Monica and Justin; as well as his grandparents, Morris and Maurita Freeman, Nancy Lantz, Harold and Gertrude Granger and Judy Waymire. Andrew also leaves behind many friends and fellow servicemembers and I wish to extend my deepest condolences to all of those who mourn his passing, especially his beloved girlfriend, Heather Majors.

We are told to mourn with those who mourn, and grieve with those who grieve. As we mourn the passing of Andrew Michael Freeman, our thoughts and prayers will continue to be with his family.

HONORING REVEREND CHARLES EMERY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I stand before you today to congratulate Reverend Charles Emery on his 34th anniversary as Pastor of Pilgrim Missionary Baptist Church in Gary, Indiana. For his many years of dedicated service to the church and the surrounding community, he was honored at a celebratory banquet on Monday, October 15, 2012 at the Genesis Convention Center in Gary, Indiana.

Reverend Charles Emery was born in Madison County, Tennessee to W.A. and Macie Emery. Pastor Emery attended religious services throughout his childhood and accepted Christ into his life at the very young age of nine. While attending college in Tennessee, Pastor Emery chose to enlist in the United States Air Force. Throughout his military service, Pastor Emery felt he was being called into the ministry. Reverend Emery decided to pursue religious studies and was the first of his family to graduate from college. He earned a Bachelor of Arts degree in Religious Education from Toledo Bible School in Ohio and a Bachelor of Arts degree from Trinity Theological Seminary in Newburg, Indiana. He has also taken specialized courses in church administration, youth evangelism, and personal counseling at Moody Bible College of Chicago, Illinois. In 1968, Pastor Emery married his adoring wife, Willie Ruth Bonds, and they have four beloved children: Mary, Bernard, Victoria, and Kim.

In 1978, Reverend Emery became Pastor of Pilgrim Missionary Baptist Church. Throughout the years, Pastor Emery has worked diligently to serve the members of the congregation, the community of Gary, and all of Northwest Indiana. Reverend Emery has served as President of the Baptist Ministers Conference of

Gary and Vicinity, Vice President-at-Large for the General Missionary Baptist Convention of Indiana, Incorporated, teacher of the National Baptist Congress of Christian Education Youth Division, President of the Gary Police Chaplain Association, and Secretary of the Gary/Chicago Airport Board. Currently, Reverend Emery serves as President of the General Missionary Baptist Convention of Indiana, Incorporated. He continues to work hard for people most in need and does not hesitate to get involved in the tough struggles that face the surrounding community. For his constant and passionate devotion to public service, Reverend Emery is worthy of the highest praise.

Mr. Speaker, Reverend Charles Emery is a man of God and a man concerned with creating a just society for his congregation, his community, and our nation. He has selflessly devoted his life to the service of others and it is an honor to consider Pastor Emery a friend. For his uncompromising dedication over the past 34 years, Reverend Emery is truly an inspiration to us all, and it is right to honor him today.

TRIBUTE TO CINDI VAN PETTEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Cindi Van Petten, a highly motivated educator at The Dr. Ronald E. McNair, Public School 5, under the leadership of Principal Lena S. Gates and Assistant Principal Kesha Townsel. Ms. Van Petten has more than ten years of accomplishments in education and is fiercely committed to her students who call her Ms. Van. Under her watch, students have participated in debates, Meet Our Community Leaders Workshops, and participated in the Adelaide Sanford Institute Oratory Contest and Public School 5's first annual National Urban Alliance Literacy Workshop for Children, just to name a few. She believes that with the right formula every child can be successful by using innovative ways to meet the needs of all students and their learning styles.

Ms. Van Petten's devotion to education extends beyond the classroom as a participant in the Principal Aspiring Leaders Program through the Grapevine Network, sponsored by Margarita Nells, the network leader. Ms. Van Petten is a member of Caring Educators In Action, Inc. and is a member of the National Science Teacher Association, NSTA, and The City College of New York tech program where she conducts workshops in teaching engineering in elementary schools in Pennsylvania, Washington DC, California, and Texas. Ms. Van trains new teachers and mentors up and coming teachers helping them to blossom into great educators. As a member of the Adelaide Sanford Institute, she conducts parent workshop on new and exciting educational trends, especially the new common core curriculum in literacy and math. She gives back to her community by teaching GED classes through the Brooklyn Adult Learning Center. She is a member of The Brown Memorial Baptist Church over which Pastor Clinton Miller presides. On top of all that she is the mother of two beautiful children, Calynn and Caleb, IV. Her dedication to her craft is second to none.

Cindi Van Petten's philosophy about work can be found in a quoute by John Ruskin: ''Education . . . is a painful, continual and difficult work to be done in kindness, by watching, by warning . . . by praise, but above all, by example.''

Mr. Speaker, I would like to recognize Cindi Van Petten for her tremendous contributions to the community.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Cindi Van Petten.

IN RECOGNITION OF MR. JOHN CUBBA'S 25 YEARS OF SERVICE TO OUR COMMUNITY AS A LEADER IN MUNICIPAL FINANCE

HON. DAVID ALAN CURSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. CURSON of Michigan. Mr. Speaker, I rise today to recognize Mr. John Cubba, Finance Director for the Charter Township of Redford, on his retirement. As a Member of Congress, it is both my privilege and honor to recognize Mr. Cubba for his many years of service and his contributions which have enriched and strengthened our community.

Mr. Cubba brings a lifetime of experience to his current position with the Charter Township of Redford, a career which began nearly 34 years ago on the finance staff in the city of Detroit. In November of 1987, Mr. Cubba was hired as the Finance Director for the Charter Township of Redford, and served with distinction in that position for the last 25 years. During a tenure which has seen many economic changes in the region, Mr. Cubba maintained a reputation of providing sound financial guidance which has promoted stability and progress in Redford Township.

Mr. Cubba believes in his community and has shown a commitment which has exceeded the years of his tenure as Finance Director. Mr. Cubba has been a long-time member of the Redford Rotary, and is a past President. He has volunteered his time in a broad array of capacities in community organizations including The Goodfellow's Paper Drive, St. Valentine's Parish, Catholic Central, the Michigan Municipal Risk Management Authority, the Government Finance Officers Association, the Michigan Townships Association, Boy Scouts, March of Dimes, and the Clean-up Redford Township Committee, among others. In addition to his service to the community, Mr. Cubba is the proud husband to his wife Candy, father to four sons and a daughter, and proud grandfather to nine grandchildren.

Mr. Speaker, I ask my colleagues to join me today to honor Mr. John Cubba for his dedicated public service. I wish him many more years of health, happiness, and productive service to our community.

TRIBUTE TO CARMEN WARSCHAW

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. WAXMAN. Mr. Speaker, I join my colleague HOWARD BERMAN in paying tribute to our lifelong and dear friend, Carmen Warschaw. Carmen passed away on Election Day, November 6, a fitting day for an activist who viewed politics as a participatory sport, in which she was a master player as well as a passionate fan.

Carmen loved political gossip and good jokes. Her home was a veritable salon, where elected officials, old and new friends, and family members gathered for very good food and even better conversation and camaraderie.

She was literally woven into the tapestry of Democratic politics and the California State Party. Always a leader, Carmen attained recognition on the national stage but played a large role in shaping party politics on the state level.

Carmen and her college sweetheart and husband, Louis, who passed away in 2000, were truly a team to be reckoned with. They were actively involved in politics from their youth when the State of California was growing in Democratic representation. As leader of the state Democratic Party, Carmen played a central role as California's governor and legislature worked to create a model public education system with world famous universities, and highways and waterways that fed the thriving economy of the Golden State. She was a mentor, supporter, and strategy expert to a whole generation of politicians and public servants. She never shied away from taking sides and plunged wholeheartedly into the fray when she felt that those she had helped were not living up to her expectations.

Carmen's reach went much further than politics. She leaves a remarkable legacy of interest in and generosity to the Jewish community. She was an indispensable leader in the Jewish Federation, the Los Angeles Music Center and the Otis Art Institute.

Carmen and Lou also established the Carmen H. and Louis Warschaw Chair in Practical Politics at the University of Southern California, their alma mater. She established the Louis Warschaw Prostate Cancer Center at Cedars-Sinai Medical Center and they both also helped to establish the USC Casden Institute for the Study of the Jewish Role in American Life.

Carmen is survived by a large and loving family, her daughter Hope and son-in-law, John Law, her daughter Susan and son-in-law, Carl Robertson, and grandchildren Jack Law-Warschaw, Cara Robertson and Chip Robertson and great-grandchildren Louis Harvey Robertson and Rose Frances Harvey Robertson.

We ask our colleagues to join us as we celebrate and remember the legendary life of Carmen Warschaw.

CELEBRATING THE 36TH ANNUAL GALA OF THE ASIAN AMERICAN MEDICAL ASSOCIATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with sincere admiration that I recognize the Asian American Medical Association, which hosted its 36th Annual Gala on Saturday, November 3, 2012, at the Avalon Manor in Merrillville, Indiana. Each year, the Asian American Medical

Association pays tribute to prominent, outstanding citizens and organizations for their contributions to the community. In recognition of their efforts, these honorees are awarded the prestigious Crystal Globe Award at this annual banquet.

The Asian American Medical Association has always been a great asset to Northwest Indiana. Its members have selflessly dedicated themselves to providing quality medical services to the residents of Northwest Indiana and have always demonstrated exemplary service through their many cultural, scholastic, and charitable endeavors.

At this year's Annual Gala, the Asian American Medical Association will present the Crystal Globe Award to one of Northwest Indiana's finest citizens, Dr. Ilwoong Chang, M.D. For his outstanding contributions to his community, he is to be commended.

In 1966, Dr. Chang graduated from medical school at Yonsei University in Seoul, South Korea. He then completed his internship at Yonsei University, during which time he participated in medical missions in rural areas of South Korea. Dr. Chang was a Naval Medical Officer from 1967 to 1970, during which time he served in Vietnam. He completed his residency at Wayne State University Hospital in Detroit, Michigan, in 1974, and in 1976, he went on to complete his Gastroenterology fellowship at the University of Illinois in Chicago. Doctor has dedicated much of his life to medical education and currently serves as Clinical Associate Professor in Internal Medicine and Gastroenterology at the Indiana University Northwest Center for Medical Education in Gary, Indiana. Dr. Chang also operates his private practice in Munster, Indiana, specializing in Gastroenterology.

Dr. Chang's remarkable résumé includes many prestigious positions in the field of medicine. He has served as Chairman of Medicine at Community Hospital in Munster and President of Medical Staff, as well as Chairman of Quality Coordination Control at Saint Catherine Hospital in East Chicago. Doctor is also a member of many medical societies, including: the American Medical Association, the American Gastroenterology Association, and the American Society of Gastrointestinal Endoscopy. In addition, he is a delegate of the Indiana State Medical Association, a member of the Insurance Committee of the Indiana State Medical Association, and Chairman of the Board of the Lake County Medical Society of Indiana. For his exceptional dedication to organizations that have a tremendous positive impact within the medical community and to the people of Northwest Indiana, Dr. Chang is worthy of the highest praise.

Dr. Chang's dedication to medicine and the community of Northwest Indiana is exceeded only by his devotion to his wonderful family. He has been married to his loving wife, Young Zin Chang, for 42 years. They have three amazing children: Gene, Elizabeth and David, and six beloved grandchildren.

Doctor is committed to his family, to improving the lives of the patients he serves, and working selflessly to enhance the quality of life of all those who live in Northwest Indiana. It is an honor to call him a friend.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending the members of the Asian American Medical Association, as well as this year's Crystal Globe Award recipient, Dr. Ilwoong Chang, for their outstanding contributions to the medical field, as well as to their communities and beyond. Their unwavering commitment to improving the quality of life for the people of Northwest Indiana and throughout the United States is truly inspirational, and I am proud to serve as their representative in Washington, DC.

TRIBUTE TO COLVIN W. GRANNUM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Colvin Grannum, for his commitment to developing his community.

Born and raised in Bedford Stuyvesant, Mr. Grannum graduated from Erasmus Hall High School. He earned an undergraduate degree from the University of Pennsylvania and a law degree from Georgetown University Law Center. He serves as a member of the board of directors of the New York City Workforce Investment Board, Center for New York City Neighborhoods (CNYCN), Local Initiatives Support Corporation (LISC), Brooklyn Chamber of Commerce, Bedford Stuyvesant Early Childhood Development Center, Inc., and Head Start Sponsoring Boards Council.

He has served on advisory boards of JP Morgan Chase, Goldman Sachs New Markets Fund, Fannie Mae, HSBC Bank, the Federal Reserve Bank of New York, and Pratt Center for Community Development, just to name a few. He also served as a trustee of the Brunswick School, in Greenwich, Connecticut. Mayor Bloomberg appointed Mr. Grannum to serve on the Mayor's Commission for Economic Opportunity, and former Governor Spitzer appointed him to the then Governor-elect's Housing Policy Transition Team.

Mr. Grannum practiced law for over 17 years primarily as a litigation attorney before embarking on his career in community development. He has been employed by the United States Department of Justice, the New York State Attorney General, the NYNEX Corporation, and the New York City Corporation Counsel, respectively, where he held a variety of senior level positions and was responsible for handling and supervising litigation, including trials, appeals, and regulatory proceedings.

Colvin Grannum has served as president of Bedford Stuyvesant Restoration Corporation (Restoration) since March 2001. Under Mr. Grannum's leadership, Restoration is experiencing a robust resurgence. Restoration provides services and programs in the areas of arts and education, including Bedford Stuyvesant Head Start, the Restoration Information Technology Education (RITE) Center, the Youth Arts Academy and the Restoration Dance Theater, and economic development, including the Restoration Capital Fund.

Prior to joining Restoration, Mr. Grannum served as a founding director and the chief executive officer of Bridge Street Development Corporation (BSDC), a faith-based not-for-profit community development corporation affiliated with Bridge Street African Methodist Episcopal Church in Brooklyn, New York.

Mr. Speaker, I would like to recognize Mr. Colvin Grannum for his outstanding accomplishments and dedication to his community.

CONGRATULATING ASHLEY JOHNSON FOR STUDIES IN THE CRITICAL LANGUAGE SCHOLARSHIP PROGRAM

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to recognize and congratulate Ashley Johnson, a constituent of mine from Coppell, Texas, on studying the Mandarin Chinese language in Beijing, China, under the Critical Language Scholarship Program.

The Critical Language Scholarship program was established in 2006 as part of the National Security Language Initiative. This interagency effort was formed with recognition of the need for our future diplomatic and intelligence personnel to learn languages such as Arabic, Farsi, Urdu, and Chinese. It provides an intensive regimen of study at beginner, intermediate, and advanced levels for both undergraduate and graduate students. The program goes beyond just language and provides cultural experiences by immersion in the host country.

I was proud when the U.S. State Department informed me that one of my constituents, Ashley Johnson, had successfully participated in the Critical Language Scholarship Program this past summer. Acceptance is highly competitive, and so I commend her studying Intermediate Chinese in Beijing. Johnson's success is a testament to dedication, skill, and hard work; and I look forward to her accomplishing great things in any endeavor that she pursues in life.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Ashley Johnson for her studies in the Critical Language Scholarship Program.

IN HONOR OF JIM COCHRAN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. FARR. Mr. Speaker, I rise today to acknowledge California native and long-time Santa Cruz County resident, Jim Cochran, who established Swanton Berry Farm 29 years ago in Davenport, California. Since its establishment, Swanton Berry Farm has become the first modern organic strawberry farm in California, utilizing standards and methods that have become a model for organic and sustainable farming.

Jim has displayed an incredible commitment to social justice. He has created a safe and friendly work environment that provides living wages, a medical plan, a retirement plan, and vacation and holiday pay for agricultural workers. Additionally, employees of Swanton Berry Farm are provided with access to low-cost housing options, which more than 75% of Swanton Berry Farm employees take advantage of. Because of this commitment, Swanton Berry Farm has become the first organic strawberry farm in the United States to be unionized by the United Farm Workers of America.

Jim's commitment to sustainable organic farming and the well-being of agriculture workers continues in his work with Roots of Change. Roots of Change brings a diverse range of Californians to the table to build a common interest in food and farming so that every aspect of our food—from the time it's grown to the time it's eaten—can be healthy, safe, profitable, affordable, and fair.

Mr. Speaker, it is with great pleasure that I rise to honor Mr. Jim Cochran, his achievements with Swanton Berry Farm, and his commitment and service to sustainable agriculture and socially just business practices.

HONORING COMMISSIONER FRANCES DUPEY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and immense respect that I stand before you today to honor one of Northwest Indiana's finest public servants, Commissioner Frances DuPey, and to wish her well upon her upcoming retirement. Commissioner DuPey's many years of dedication and commitment to the residents of Lake County, Indiana, have had a tremendous impact on our community. In honor of Fran's retirement, a reception was held on Sunday, November 11, 2012, at Dynasty Banquets in Hammond, Indiana.

Fran DuPey was raised in Hammond, Indiana, and attended Hammond Technical Vocational High School until relocating to Lamoni, Iowa, where she completed her high school courses. Soon after, Fran returned to Northwest Indiana and enrolled in Hammond Business College.

Fran married her beloved husband, Frank, a Hammond police officer who would later become the Chief of Police, on November 14, 1964. Fran and Frank, who passed away last year, were blessed with one daughter, Veronica, and one son, Frank, as well as three beautiful grandchildren. It was her husband who first introduced Fran to the Democratic Party, and she has been a constant voice for the party in Northwest Indiana ever since. A loyal Democrat, Mrs. DuPey served eleven years as vice chair for the Hammond Democratic Precinct Organization, followed by five years as the Hammond Democratic Chairperson, and she has been a vice-precinct committeewoman for the past thirty years.

Commissioner DuPey's commitment to the people of Northwest Indiana spans far beyond party lines. In 1987, recognized for her tenacity and leadership qualities, Fran was elected to serve on the Lake County Council and served ten years in that capacity. With her election in 1987, then Councilwoman DuPey marked her place in Lake County's history as the first woman to serve on the Lake County Council. Fran, never one to rest on her laurels, was subsequently elected to serve as a Lake County Commissioner, again being the first woman to hold this office in Lake County. Commissioner DuPey, who has served in this capacity for the last sixteen years, also has the distinction of being the first woman to serve as president of both the Lake County Council and the Lake County Board of Commissioners.

During her many years of service, Commissioner DuPey has received numerous awards and acknowledgements for always going above and beyond for her constituents. One of her most notable recognitions came when she was honored as the "Most Enterprising First Term Commissioner" in the state of Indiana, an award bestowed upon her by the Indiana Association of County Commissioners. Fran's career will be remembered for her dedication to the people of Northwest Indiana and her always candid, up-front approach to tackling the issues at hand.

Fran DuPey has led a life dedicated to the service of others. I am fortunate to call her a friend.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring a devoted public servant, Commissioner Frances DuPey. Fran's constant efforts to improve the quality of life for people of Lake County, Indiana, have had an immense impact on her peers and the many citizens whose lives she has touched. It has been an honor to work with Fran throughout the years, and I wish her the best upon her retirement.

TRIBUTE TO NAOMI COLLINS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Naomi Collins, for her track record in public service and her commitment to charity.

Naomi Collins was born in Brooklyn, New York, to the late James and Louise Miller. Mrs. Collins was educated in the New York City public school system. She attended Public School 309, Junior High School 35, Franklin K. Lane High School and Brooklyn College. She is married to Elder Michael Collins and has seven children and five grandchildren.

She currently attends Unity Temple Church of God in Christ in Brooklyn, New York, where the pastor is Elder Melvin Cooper. Mrs. Collins serves on the Deaconess Board as well as the Youth Department. She currently serves as District Youth Leader under Auxiliary Bishop Willie G. Robinson. She holds several licenses including a First Class FCC license as Chaplain in the State of New York and a Deaconess and Food Protection license.

From a young age Mrs. Collins was raised to be a valued and contributing member of her community. She served her community and church throughout her youth and as an adult, she always sought to do more to help others. It was this desire that led her to found the Faith Outreach Food Program to help feed the hungry and disadvantaged in her community. Now over 25 years later, Mrs. Collins is still operating the Faith Outreach Food Program through which she feeds thousands of underprivileged individuals each month. During her years of operating the Food Program, Mrs. Collins saw to other critical community needs. Each year Mrs. Collins adds new programs and events in order to reach as many disadvantaged and underserved groups in New York as possible. Her entire life has been devoted to serving others.

Mr. Speaker, I would like to recognize Mrs. Naomi Collins for her commitment to serving others and continued dedication to the community.

TRIBUTE TO AMERICAN HERO GLEN DOHERTY

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. HUNTER. Mr. Speaker, I rise today to express my profound respect for the four patriotic Americans who gave their lives on behalf of this nation, when the U.S. consulate in Benghazi, Libya, was attacked on the 11th anniversary of the 9–11 terrorist attacks. All of them are heroes not just for their service in a foreign land that presented danger and a difficult diplomatic mission, but also for their selfless actions to defend the consulate and their immeasurable sacrifice protecting the cause of freedom.

One of the brave Americans who stayed at the consulate to repel the assault by a band of terrorists was former Navy SEAL, Glen Doherty. Glen was an inspiration in every part of his life, but his actions in the face of immense danger and personal risk, which saved the lives of many others, were not a surprise to those who knew him best. Glen's passion for life, his unbreakable loyalty and his commitment to helping others were only some of the reasons why he was so admired and respected, both personally and professionally.

When the consulate was attacked, Glen fought tirelessly throughout the night and into the next morning. It was on September 12 that Glen lost his life, after a mortar attack on the consulate. Because of Glen's awareness, his tactical coherency and experience as a sniper and combat paramedic, lives that otherwise might have been lost were preserved. And we all take great pride in the fact that Glen was someone who faithfully represented the most enduring and admired quality that's associated with elite combat warriors like the SEALs. He stood his ground. He never gave up and he fought hard to the end.

Glen's pioneering spirit, his determination and his selflessness is emblematic of America's goodness and the willingness of so many of our citizens to sacrifice for causes bigger than themselves. The preservation of freedom is dangerous and costly, but individuals like Glen are the reason why freedom is possible for others across the world who are eager to break the chains of oppression and put an end to violence that threatens innocence.

Glen's legacy now lives through a foundation in his name: The Glen Doherty Memorial Foundation. The foundation honors Glen's life and his beliefs, truly a fitting way to ensure that his ambition to serve and protect others continues for many years to come.

A close friend and SEAL Teammate of Glen's described him in a few words, which are worthy of repeating. He wrote, "My friend Glen: he would never pound his chest or tell you how great he was. Glen was a great listener and always had experienced advice. He was the jack-of-all-trades AND master of all. A rare person that was great at everything he did. A warrior spirit balanced by the kindest of hearts . . . ."

Mr. Speaker. All of the Americans that died that day are heroes in their own right. Glen's

story is one among three others, but I know I speak for all of my colleagues, especially those of us who have ever worn a uniform in defense of this great country, when I say that Glen Doherty is a patriotic warrior whose service and sacrifice will never be forgotten.

IN HONOR OF THOMAS HELMUT GRIFFIN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. FARR. Mr. Speaker, I rise today to honor Thomas Helmut Griffin, who has shown exemplary commitment to both his country and his community.

Tom was adopted by an American Army Sergeant and brought to America in 1952. He worked nights at the US Post Office Rincon Annex during his senior year of high school in order to help support his family. After his high school graduation, Tom was appointed to the United States Military Academy at West Point. He graduated from West Point in 1963 and became an Infantry Officer.

Tom's Army career shows assignments as a Platoon Leader, Company Commander, and Operations Officer at the Battalion, Brigade and Joint Staff levels. He has also served as Executive Officer of a Company, Battalion, and Infantry Brigade, as Interim/Acting Battalion and Brigade Commander, and as Senior Advisor at Infantry, Battalion, and Regiment levels to Vietnamese Combat units.

Tom served three tours of duty in Vietnam as Infantry Airborne Ranger involved in direct combat. He was wounded by enemy fire during his first tour, yet continued fighting in hand-to-hand combat with enemy soldiers. During his second tour in Vietnam, he was a senior advisor to a Vietnamese Infantry Battalion. On his final tour of duty, he was an advisor to the 23rd Vietnamese Infantry Division Intelligence Staff in Kontem. He finished his service in the war as a Senior Advisor to a Vietnamese Infantry Regiment. Tom was the last American actually in contact and combat with the enemy in 1973.

For his exceptional service, Tom has been awarded the Silver Star for gallantry in action, two Bronze Stars-one for heroism in ground combat—a Purple Heart, two Air Medals, four Army Commendation Medals, two Meritorious Service Medals, a Joint Services Commendation Medal, a Defense Meritorious Service Medal, numerous campaign medals, foreign awards, and the Combat Infantryman Badge.

Tom finished his 20 years of service in the Army as a Lieutenant Colonel of Infantry. His last two assignments were as a member of the Joint Chiefs of Staff in the Pentagon, and at Fort Ord as a Brigade Executive Officer in the 7th Infantry Division.

But Tom's dedication to serving the people of his county and his community extends beyond his military career. Tom has earned his Master's Degree, a Specialists Degree, and a Doctorate. Licensed as a professional counselor, Tom uses his skills to help veterans and underserved or low-income families in Monterey County.

Tom spent seven years researching and studying Army families, with specific focus on the impact that military life has on children. He served the county's housing authority, with responsibility for the psycho-social services of 3,000 underserved, low-income families, many of them veteran families in need of assistance. He also built and started the HUD-mandated Family Self Sufficiency Program, which was selected by the National Housing Authority Association as one of the top three programs in the United States.

Tom has also served as a social worker for Child Protective Services in Monterey and Santa Clara Counties. He acted as a liaison between the counties and the service families for the Army, National Guard, and all active components.

In 1998, Tom became a member of Monterey County's Vietnam Veterans and the founding President of the Veteran's Transition Center. This program now owns 40 homes on the former Fort Ord and is housing 55 homeless veterans and families in a two-year program that leads from being homeless and jobless to self-sufficiency.

In June 2012, Tom put together a Stand Down for homeless veterans, where 297 homeless veterans including 10 homeless families were served.

Mr. Speaker, it is my honor to rise today to honor this man, Thomas Helmut Griffin, for his outstanding dedication, commitment, and service.

HONORING NICK KAVADAS AND OTHER MEMBERS OF THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I stand before you today to honor Nick Kavadas, who has been recognized by the American Hellenic Educational Progressive Association, AHEPA, as Chapter, District, and National Ahepan of the Year. AHEPA honored Nick at a celebratory reception that took place on Saturday, November 10, 2012, at Dynasty Banquets in Hammond, Indiana. Also honored at the event were Pete Kavadas, for his heroic efforts at a recent AHEPA conference, and Joseph Skora, who received the Prometheus Award in recognition of his many years of service to AHEPA.

The Order of AHEPA was founded on July 26, 1922, in Atlanta, Georgia, joining the NAACP and B'nai B'rith in the effort to end racism, bigotry, and discrimination against all immigrants. AHEPA was founded on the principles of ancient Greece, to promote civic responsibility, education, philanthropy, family, and individual excellence through volunteerism and community service.

On November 10, AHEPA honored Nick Kavadas, AHEPA Supreme Governor of Region 6 representing districts 12, 13, and 14 of the Supreme Lodge, who has been an outstanding leader, and who has worked tirelessly to develop AHEPA in presence and membership throughout the state of Indiana. Under Supreme Governor Kavada's direction, AHEPA membership has grown to its highest level this year with over 450 members in the state of Indiana. Brother Nick has spearheaded many of AHEPA's charitable endeavors supporting worthy causes including the Saint Baldrick's Foundation, which does exceptional work for children's cancer research, the National Hellenic Foundation, the National Hellenic Museum, Greek relief efforts, and the District #12 Scholarship Foundation, among many other charitable endeavors. Over the years, Nick has held numerous positions including serving on the Gary/Merrillville Chapter #78 Board of Governors, as Lieutenant Governor and Governor of Hoosier District #12, and as Chairman of the Standing Governor's Committee. Nick Kavadas has been able to touch the lives of countless individuals through his work with AHEPA, and for his passionate, selfless life of public service, he is worthy of the highest praise. I am pleased that AHEPA has recognized these admirable contributions with such a prestigious award.

Nick's brother, Pete Kavadas, was also honored at this event for his heroic efforts in a critical situation. While attending an AHEPA conference in Las Vegas, Nevada, Pete came across a young man who was contemplating suicide by jumping off of the Hoover Dam Bypass Bridge. Pete, along with the help of his brother, persuaded the young man to cease his efforts and obtain the help he needed. For his courageous efforts, Pete is an inspiration, and we are grateful for his incredible bravery in this dire situation.

Joseph Skora was honored at the event with the Prometheus Award in recognition of his many years of service to the organization. Joseph has been one of the most involved members in the Gary/Merrillville Chapter #78 as well as Hoosier District #12. Brother Joe has worked extensively with AHEPA housing and serves as a board member for AHEPA Chapter #78's Housing Board. Brother Joe also served as the Assistant Project Manager for part of the construction of the six apartment phases in Merrillville, Indiana, which provide housing for senior citizens. He has also been the manager of repairs and improvement projects for the AHEPA apartments. For his many years of service and noteworthy dedication to AHEPA, Joseph is to be commended.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in congratulating AHEPA, Brother Nick Kavadas as he is recognized as Ahepan of the Year, Brother Pete Kavadas for his heroic efforts, and Brother Joseph Skora as he is honored with the Prometheus Award. For their remarkable leadership, commitment, and enthusiasm shown through their service to so many in need throughout Northwest Indiana and across the nation, they are worthy of the honors bestowed upon them, and I am proud to represent them in Congress.

TRIBUTE TO TAHARKA ROBINSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Taharka Robinson for his devotion to public service in his community.

Taharka Robinson was born and raised in the Bedford Stuyvesant Community of Kings County. He attended Community Head Start,

Martin De Porres School, Uhuru Sassa Shule, the Dwayne Braithwaite School, J.H.S 35 and Boys and Girls High School. Growing up, he was fortunate enough to have been exposed to community affairs at an early age. Rev. Taharka attended P.T.A. meetings, school board meetings, community board meetings, rallies, voter registration drives, political campaign meetings and even protests. Exposed to all of these events, Rev. Taharka understood that there was something significant about serving the community.

In 2002 after working on numerous political campaigns, Rev. Taharka started Urban Consulting Group Inc., a political consulting firm that targeted urban communities throughout the state of N.Y. Through his commitment and dedication Taharka successfully orchestrated the election of five African American Judges to the Kings County Civil Court over the course of three consecutive election cycles.

In 2006 Rev. Taharka Robinson took a leave of absence from political consulting to pursue ministerial studies. After completing his studies and acquiring the required certification, Rev. Taharka Robinson started Victory Consulting Group Inc. a full service consulting firm that handles every phase of a campaign, from strategy, management, community outreach, polling, to media and field coordination. Since 2003, Rev. Taharka Robinson has worked to help promote equity in the Kings County Court System. Through his work, serving as a Judge in Kings County is a more attainable goal for people of color.

Taharka has demonstrated his commitment to public service through interaction with community faith based and political organizations. Rev. Taharka convenes an annual Clergy Luncheon that is focused on highlighting the needs of the most fragile people in our communities. Rev. Taharka is the founder of The Brooklyn Anti Violence Coalition an organization that deals with the issue of crime and violence in the community. Rev. Taharka Robinson's life vision is to promote leadership within the community, create mentoring opportunities for young men and women and continue the legacy of his mother.

Mr. Speaker, I would like to recognize Mr. Taharka Robinson for his commitment to serving others and continued dedication to the community.

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. PENCE. Mr. Speaker, I was unavoidably absent on November 16, 2012, and missed rollcall vote 608. Had I been present, I would have voted "aye" on rollcall vote 608.

CELEBRATING DICK BOYSEN'S 35TH ANNIVERSARY AS EXECUTIVE DIRECTOR OF SPOKANE GUILDS' SCHOOL AND NEUROMUSCULAR CENTER

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to recognize Dick Boysen's 35th anniversary serving as the Executive Director of the Spokane Guilds' School & Neuromuscular Center.

On November 21, 1977, Dick Boysen set out to make a difference in the lives of children with disabilities in Eastern Washington. Believing in the worth of every individual, Dick looked forward to helping Spokane's most vulnerable population. Thirty five years later, his focus remains the same—nurture the full potential of families and their children, from birth to three, with disabilities.

Dick arrived at the Spokane Guilds' School & Neuromuscular Center with a passion for making a difference in the lives of children with developmental and physical disabilities and a vision to make the Spokane Guilds' School & Neuromuscular Center program the best in the country. To that end, over the last 35 years, Dick has tirelessly worked to ensure this dream became a reality. Under Boysen's leadership, the Spokane Guilds' School & Neuromuscular Center has become not only one of the most comprehensive and respected programs in Washington State but has gained national acclaim.

Founded in 1960, the Spokane Guilds' School & Neuromuscular Center has grown from a part-time, volunteer staffed respite center for children with developmental disabilities, to a full-time, quality center with a professional staff of certified teachers and therapists serving children who experience developmental delays. Today, the Spokane Guilds' School & Neuromuscular Center serves 200 children in Spokane County who experience developmental delays or disabilities.

Not only am I encouraged by Dick's tireless effort to advocate and improve the quality of life for children with disabilities in Spokane, but in the past 2 years, he has received the Sacred Heart Children's Hospital's "Advocate of the Year" award and was given a Founder's Award by the Early Childhood Development Association of Washington because of his great work with the organization and around the State.

So today, I want to congratulate Dick Boysen on his 35th Anniversary as Executive Director of Spokane Guilds' School and Neuromuscular Center.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. ANDREWS. Mr. Speaker, I was not present for votes in the House of Representatives on November 15, 2012. Had I been present, I would have voted in the following manner:

Rollcall No. 606 for H. Res. 808, had I been present, I would have voted "nay."

Rollcall No. 607 for Senate Amendment to H.R. 2453, had I been present, I would have voted "aye."

102.7 FM "THE GOAT'S" 18TH BIRTHDAY

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. POLIS. Mr. Speaker, I rise today to pay tribute to a beloved radio station, 102.7 FM KYGT, which turns eighteen on February 4, 2013. The station, which is fondly known as "The Goat," started with an antique phonograph and a dream. Over the years, this humble station has transformed itself into the voice of Clear Creek and a local institution.

This community owned radio station's mission is clear: "Broadcast entertainment, news and information, both over the airwaves and via the Internet, to the residents of Clear Creek County, Colorado, and the world through an eclectic mix of programming." The Goat encourages creative expression and believes in the importance of community.

The Goat is a commercial-free station that is funded by local business sponsors, fundraisers, and an intergovernmental agreement with all the towns in Clear Creek County. In addition to playing diverse music, the station encourages civic engagement and community building. There are live broadcasts of local high school athletic events, public service announcements about community events, and a dedicated line for the Sheriff's Department to take over the broadcast in case of an emergency. The Goat informs and educates its audience, as exemplified by founder and General Manager Greg Markle and Mark Cucinella's show, "All Things Reconsidered."

The Goat's dedicated staff is also a long-tenured staff. Gary and Doc have been rocking Clear County for almost 18 years with their show "So Much Music, So Little Time." Many mountain residents have woken up to snowy mountain mornings with "Mornings with Mozart" (even though sometimes the show is played in the afternoon), put on their square dancing shoes during "Texas Tunes," been constantly surprised by "The Mystery Hour," and head-banged through Mikey and Jen Jen's metal show.

This radio station epitomizes not only what a community radio station could be, but also what a community radio station should be. With a laid-back vibe, an inclusive attitude, and a fun-loving spirit, 102.7 FM consistently has entertained, informed, and supported the Clear Creek community. Mr. Speaker, I ask my colleagues to join me today in paying tribute to 102.7 FM The Goat as it soon celebrates its 18th birthday.

TRIBUTE TO SANDY DEWALT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and honor Deacon Sandy Dewalt

devoted husband to his loving wife Eva of 65 years, and father to son Sandy Jr. and daughter Cassandra.

Deacon Dewalt is a devoted servant of Christ who joined the Union Baptist Church in 1955 under the leadership of the founding pastor, Rev. Dr. Aaron Wood. A member of the Union Baptist Church for 57 years, he was appointed Decaon Chairman Emeritus in 1998. Mr. Dewalt is also a member of the Joint Board of Directors; he has served on the Board of Deacons for the better of 50 years.

''Deek''—as he is affectionately known at Union is the current Superintendent of the Sunday School Department 2nd, member of the Board of Christian Education, the Pastor's Aide and the Music Ministry. Additionally he works diligently with the Soup and Feeding Ministry.

Mr. Speaker, I would like to recognize Deacon Dewalt for devoting his time to serving those who God sends to in their time of need and to the church that he loves so dearly, the Union Baptist Church, I urge my colleagues to join me in paying tribute to Deacon Sandy Dewalt.

HONORING SISTER ELIZABETH VAN STRATEN

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. RUSH. Mr. Speaker, I rise today to honor Sister Elizabeth Van Straten, who is a highly esteemed member of the Chicago area and a resident of the Englewood community in the City of Chicago.

At the end of this year, Sister Van Straten will be retiring from her position as the President and Chief Executive Officer of St. Bernard Hospital, which is located in the Englewood community of the City of Chicago.

An alumnus of DePaul University, Sister Van Straten is a member of the religious congregation of women known as the Religious Hospitallers of Saint Joseph (R.H.S.J.), which founded St. Bernard Hospital in 1904. She is the last member of the religious sisters serving at St. Bernard. In following a line of women dedicated to serving the poor, Sister Van Straten has committed herself and her talents for more than 34 years in service of and promoting the health and well-being of the Englewood community.

Sister Van Straten has met and overcome major challenges in keeping St. Bernard Hospital open, even as three other neighborhood hospitals have closed. In addition to keeping open its doors, under Sister Van Straten's leadership St. Bernard has become the largest employer in the Englewood community and a leading national provider of emergency medical services, dental services and prenatal care services, just to name a few.

Mr. Speaker, I would ask my colleagues to join me in recognizing Sister Elizabeth Van Straten. She is truly worthy of recognition today and onward by this august body—the U.S. House of Representatives.

CONGRATULATING THE LONE STAR MODEL A FORD CLUB

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. CARTER. Mr. Speaker, today I rise to recognize the Lone Star Model A Ford Club upon achieving a milestone in the club's history. This Saturday, December 1, 2012, the club will meet for their 1,000th weekly breakfast in Georgetown, Texas.

Organized on September 26, 1993, in Georgetown, Texas, the Lone Star Model A Ford Club is for owners and admirers of Model A Fords who are interested in restoring and maintaining the automobile in a manner to attract prestige and respect within the community.

The Lone Star Model A Ford Club has served as a medium of exchange of ideas, information and parts for admirers of the Model A Ford car, manufactured from 1928 through 1931, and to aid them in their efforts to restore and preserve the car in its original likeness.

In addition, the Lone Star Model A Ford Club encourages and maintains among its members the spirit of good-fellowship, sociality, and fair play through sponsored activities including the use of the Model A Ford and family participation.

The Lone Star Model A Ford Club has consistently supported local civic endeavors by displaying their Model A's whenever asked by nursing homes, retirement homes, civic clubs, the Chamber of Commerce, the City of Georgetown, and Williamson County, including, during the re-dedication of the Williamson County Courthouse after its renovation.

The Club has twice hosted the statewide Model A Ford Convention in Georgetown with attendance as high as 550 people from throughout Texas in 1998 and again in 2005 and has been selected to host the 50th statewide Model A Ford Convention to be held in June 2013 in Round Rock, Texas.

Club members began meeting for weekly breakfasts every Saturday morning in October 1993 and have consistently continued this weekly social activity to this day.

Mr. Speaker, I congratulate the 77 family members of the Lone Star Model A Ford Club on the occasion of their 1,000th weekly breakfast together and encourage our state's citizens to congratulate these individuals whose efforts should be recognized in preserving an important part of our nation's motoring history for the benefit of future generations.

IN SUPPORT OF THE NATION OF ISRAEL

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. MARINO. Mr. Speaker, I rise today in strong support of the nation of Israel, and ask my colleagues to join me in condemning the terrorist attacks against the Israeli people from the Palestinian Hamas in the Gaza Strip.

As Hamas militants continue to target its assault against innocent Israeli civilians, Israel will continue its efforts to defend her people. No nation should be forced to subject itself to such violence and destruction, nor should its people be forced to live in fear. Just as the United States would not stand idly by if such horrific attacks were waged against Americans, I support Prime Minister Netanyahu's acts of self-defense.

It is equally concerning that Egyptian President Mohamed Morsi has moved away from Egypt's traditional role as a mediator between Palestine and Israel, and has publically supported the actions of Hamas, which is an offshoot of the Muslim Brotherhood, to which President Morsi belongs. That is why I strongly urge President Obama and Secretary Clinton to use the strongest forms of diplomacy to support our ally Israel, and work with Israelis and Palestinians to end this violence.

In less than three days, Hamas militants have fired an estimated 550 missiles into Israel. Israel's justified response has debilitated Hamas's rocket-firing facilities and has significantly reduced their strategic capabilities.

To date, three Israeli civilians have been killed, along with twenty Palestinian militants and civilians. Israel ended its military and civilian presence in Gaza in 2005, attempting to end further conflict in the area, but Hamas militants continue to provoke armed conflict against Israel.

My thoughts and prayers are with the nation of Israel as they withstand and defend against these heinous attacks. I hope that this conflict soon ends and firm groundwork is established to solidify a long-term, mutually agreed upon peace agreement between Israel and Palestine.

A TRIBUTE TO THE SHEPHERD OF THE HILLS CHURCH IN HONOR OF ITS 100TH ANNIVERSARY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. SHERMAN. Mr. Speaker, it is my great pleasure to congratulate Shepherd of the Hills Church in Porter Ranch, California, on the celebration of its 100th Anniversary. For a century, the leaders and parishioners of the Church have dedicated themselves to upholding their faith and bringing the San Fernando Valley community closer together. Originally known as the Van Nuys First Baptist Church, the Church began in 1912 in an railroad car in the town of Van Nuys, California, with less than 100 congregants. Under the direction of senior pastor Dr. Jess Moody, the congregation grew steadily, moving in 1991 to a new building in Porter Ranch, California, where it became known as Shepherd of the Hills Church. In 1995, the congregation merged with nearby Hillcrest Christian Church.

Since its founding, Shepherd of the Hills Church has continued to explore new venues and opportunities for worship throughout the greater Los Angeles area. Today, the Church is a vibrant, diverse congregation of more than 12,000 members, four ''daughter'' churches, and two satellite campuses throughout Los Angeles County. Since 1999, Shepherd of the Hills Church has also hosted an annual 4th of July Fireworks Spectacular, which attracts over 50,000 residents of the San Fernando

Valley. The annual celebration has brought our community together year after year.

I would also like to take this opportunity to congratulate senior pastor Dudley Rutherford on this special occasion. Under the leadership of Pastor Rutherford, who is also celebrating his 25th Anniversary, the Church has seen its congregation and community outreach efforts continue to expand. Pastor Rutherford spearheaded the development of four self-sufficient satellite campuses within Los Angeles County, the opening of the Church's Family Life Center, and he helped to organize the ''Miracle in the Making'' Campaign to raise funds for a new church building. Known nationally for his dynamic leadership and communication skills, Pastor Rutherford served as president of the 2011 North American Christian Convention, and was the featured Chapel Speaker at the World Series.

Mr. Speaker, I wish to extend my heartfelt congratulations to Shepherd of the Hills Church on its 100th Anniversary, and to Pastor Dudley Rutherford for his commitment, dedication and vision in helping this praiseworthy congregation carry out its mission of fellowship and community service throughout the San Fernando Valley.

OPPOSITION TO H. RES. 813: EXPRESSING VIGOROUS SUPPORT AND UNWAVERING COMMITMENT TO THE WELFARE, SECURITY, AND SURVIVAL OF THE STATE OF ISRAEL AS A JEWISH AND DEMOCRATIC STATE WITH SECURE BORDERS, AND RECOGNIZING AND STRONGLY SUPPORTING ITS RIGHT TO ACT IN SELF-DEFENSE TO PROTECT ITS CITIZENS AGAINST ACTS OF TERRORISM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. KUCINICH. Mr. Speaker, I rise in opposition to H. Res. 813, an unfortunately and unnecessarily one-sided resolution that was brought up on Friday, November 16, for consideration without any advance notice to Members of Congress and which was completed in about a minute without any discussion. The hasty nature in which this resolution of such significance was considered undermines the unspoken, but operationally essential understanding, that bills of great importance will not be quietly tiptoed through Congress. A loss of Members' confidence in Leadership results when House floor procedures are conducted in a manner frustrating to good faith. Such conduct can only add to the hyper-partisanship and the breakdown of comity in Congress that Americans find objectionable.

Members must be given the opportunity to debate U.S. support of a military operation that is likely to be of significant consequence in talks between Israel and the Palestinians. This impacts the region and the world.

Only one minute for consideration of a most consequential resolution in the House, when in the past week, the death toll in Gaza has climbed past 100, including 24 children. Over 800 people are reported to have been wounded. Rockets from groups in Gaza have landed in several Israeli towns. Three Israelis have been killed.

This latest military escalation began after Israel assassinated Ahmed Al-Jabari, the head of Hamas' military wing. According to Israeli negotiator Gershon Baskin, who secured the release of Gilad Shalit, Mr. Jabari ''wasn't just interested in a long-term cease-fire; he was also the person responsible for enforcing previous cease-fire understandings. . . . On the morning that he was killed, Mr. Jabari received a draft proposal for an extended cease-fire with Israel, including mechanisms that would verify intentions and ensure compliance.'' Could anything be more destructive of peace than the assassination of a principal to ceasefire negotiations? And the House only has one minute to consider the ramifications of such action?

The root of this latest flare up in hostilities is deep. Negotiations between Israel and the Palestinians on a two-state solution have been virtually non-existent. Innocent people in Gaza continue to suffer under a blockade that has deprived them of everything from food and clean water to educational opportunities. Illegal settlements continue to be built in the West Bank and East Jerusalem, further diminishing prospects for a negotiated two-state solution.

The hastily written, and even more hastily passed resolution, fails to mention any of that. In its deficiencies are writ the failures of our own Middle East policies. This latest outbreak in violence is deplorable and I am strongly supportive of Egyptian efforts to negotiate a ceasefire. Innocent people on both sides deserve to live without fear. Can the House Leadership spare a minute for that point to be made?

TRIBUTE TO MRS. MABEL KITTRELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Mrs. Mabel Kittrell who was born in Portsmouth, Virginia on July 18, 1912, and is 100 years young!

Mrs. Kittrell does not have biological children but she helped raise her nephew Kevin Jackson. Mrs. Kittrell was employed as a clerk and nurse's aide among several of the many jobs she has worked during her life.

Mrs. Kittrell became a member of the Zion Baptist Church in Brooklyn New York in 1978. She was the treasurer of the Virginia Club, which is now known as the Southern States Ministry. Mrs. Kittrell supports many of the church's ministries.

Mrs. Kittrell has a number of friends and especially appreciates her two home attendants, Mrs. Jean Moore and Mrs. Annie Everett. Mrs. Kittrell claims to not know the secret to her longevity but acknowledges herself as one of God's creations. Earlier this year Mrs. Kittrell received a certificate of recognition for her 100th birthday from Senior Citizens Ministry of Zion Baptist Church and a card from President Barack Obama congratulating her on her 100th birthday.

Mr. Speaker, she also received a Proclamation from Brooklyn Borough President Marty Markowitz.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Mrs. Mabel Kittrell.

IN RECOGNITION OF THE CARDIOLOGY ASSOCIATES OF ALBANY, GEORGIA

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to salute the members and supporters of the Cardiology Associates of Albany, Georgia as they commemorate their 30th anniversary this year. A celebration event will be held on Thursday, November 29, 2012 at noon in the main lobby of Phoebe Putney Memorial Hospital in Albany, Georgia.

Thirty years ago, a young Cardiology Resident at Emory Medical School in Atlanta, Georgia was recruited to Albany, Georgia by several local physicians seeking to provide advanced Cardiology Services to Southwest Georgia. Dr. Jeffrey Hoopes accepted the challenge and set out to form Cardiology Associates in 1982.

From one physician's vision and commitment, Cardiology Associates has grown into a network of world-class heart and vascular services. Cardiology Associates teamed with Phoebe Putney Memorial Hospital, itself a healthcare leader providing breakthrough technology and innovation to the communities it serves for 100 years. Together they bring the finest Cardiology talent and technology to the citizens of Southwest Georgia.

Dr. Hoopes performed the region's first Cardiac Catheterization, a new and revolutionary diagnostic procedure at the time, at Phoebe Putney Memorial Hospital thirty years ago. Today, more than 50,000 life-saving cardiac catheterization procedures have been performed by Cardiology Associates. Many other Cardiology firsts for the region have followed.

Building on that original foundation, Cardiology Associates through the Phoebe Heart and Vascular Center now provides patients and families facing heart disease access to services at one of the largest and most advanced heart centers in Georgia.

These accomplishments, along with a dedication and commitment to the citizens of Southwest Georgia, have been rendered with compassion and professionalism.

Mr. Speaker, I ask that my colleagues join me in applauding the exceptional efforts of the Cardiology Associates at Phoebe Putney Memorial Hospital in Albany, Georgia for thirty years of healthcare excellence to the residents of Southwest Georgia.

RECOGNIZING MR. RALPH SPEZIO OF ROCHESTER, NEW YORK, FOR HIS DEDICATION TO ERADICATING CHILDHOOD LEAD POISONING

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Ms. SLAUGHTER. Mr. Speaker, it is my esteemed honor to recognize Mr. Ralph Spezio

of Rochester, New York for his continuous advocacy and leadership to prevent and test for childhood blood lead poisoning. It is a pleasure to acknowledge Ralph as an educator, community servant, and leader in the fight to protect children's health.

Ralph Neil Spezio served for 33 years in the Rochester City School District as a teacher, curriculum specialist, vice principal and principal. As principal of Enrico Fermi School No. 17, he excelled at engaging students, faculty, families and the surrounding neighborhood. Ralph addressed the needs of the school both inside and outside its walls in order to restore School No. 17 back to a safe place for learning. He connected with Rochester's leading medical centers to build the Community Health and Family Center on school grounds, established a music program with help from the renowned Eastman School of Music, and promoted an active parent-teacher association.

Despite these improvements, a large portion of Ralph's students continued to struggle with learning and behavioral problems. He felt that his school had more than the average number of students who had trouble with focus, memory, language, and impulsive behavior. It turned out that while Ralph was working to level the playing field for students to have a fair chance at success—even in a school plagued with a 98% poverty rate and located in Rochester's poverty crescent—an unforeseen and slient monster was working against him: lead poisoning.

Lead is a highly toxic metal. The U.S. Environmental Protection Agency (EPA) concludes that in young children, lead poisoning can result in lowered intelligence, reading and learning disabilities, impaired hearing, reduced attention span, hyperactivity, and antisocial behavior. In 1999 Ralph overheard school nurses speaking about students who had been poisoned. Eventually it was discovered that school health records showed 41 percent of the children at School No. 17 had a history of elevated levels of lead in their blood. Worst yet, those were only the results of those children who were tested directly for lead.

Through the Community Health and Family Center he had established, Ralph began testing preschool students for lead. That first year, 100% of the preschoolers tested were positive for lead. Ralph immediately initiated a grassroots effort to educate the community about the dangers of lead and to advocate for blood tests and home inspections.

Mr. Spezio became a founding member of the Coalition to Prevent Lead Poisoning, a group of Rochester doctors, nurses, lawyers, educators, child advocates, health insurers, property owners and community leaders committed to ending childhood lead poisoning. The work of this coalition has earned the EPA's Environmental Justice Achievement Award. In conjunction with local government and with the support of federal resources through the Centers for Disease Control and Prevention, the Coalition reports an 84 percent decline in childhood lead poisoning in Monroe County over the past decade. With this success, Rochester has become a model for other cities combating lead problems.

I am so proud of the excellent, life-changing work that Ralph has done and his commitment to putting children first in Rochester. Mr. Speaker, I ask my colleagues to join me in recognizing and thanking Mr. Ralph Spezio for his leadership, compassion and dedication to the healthy development of our nation's most precious resources, our children.

HONORING THE LIFE OF BETTY RODRIGUEZ

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Betty Rodriguez, who passed away on November 12, 2012, at the age of 83. Betty will be remembered as one of Fresno's greatest treasures.

Betty was born and raised in Fresno, California, where she graduated from Edison High School and met her husband, Armando Rodriguez. Armando and Betty were high school sweethearts and celebrated their 60th wedding anniversary in 2010. Their marriage was filled with happiness, warmth, and compassion. Together, they shared a deep love for one another and also for their community.

Armando was a Superior Court Judge in Fresno County and Betty became extremely active in the community. She spent her time volunteering for many different organizations, including the League of Women Voters, Girl Scouts, Arte Américas, Ladies Aid for Retarded Citizens, Friends of the Library, and the Fresno-Torreón Sister City Committee.

Betty was a trailblazer for women throughout the Valley. It was an important priority for Betty to instill in women, especially Hispanic women, that they could make a difference in the world. She wanted Hispanic women to feel liberated and proud of themselves and their heritage.

One of Betty's greatest achievements was the founding of the League of Mexican American Women. They created the Fiesta Navideña Fashion Show, an event dedicated to raising scholarship money for local youth. Over $250,000 has been raised since the fashion show's inception. Betty took great pride in the event because the proceeds were going to a wonderful cause. Betty was known to be able to sell tickets to anyone because she would not take no for an answer. Due to Betty's tireless efforts, the fashion show is still something people look forward to year after year.

This past May, Armando and Betty were recognized at the 12th annual Latino Legends of the 20th Century dinner for their service to the community. Their selflessness and passion for the Central Valley made them very deserving of the award.

Mr. Speaker, I ask my colleagues to join me in honoring the life of Betty Rodriguez, a true champion for the people of Central California. Her leadership in the community made her a role model and asset to our community. Betty's generous and kind heart will be sorely missed.

RECOGNIZING MARINE CORPS GENERAL JOHN KELLY

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. HUNTER. Mr. Speaker, it's with deep respect and profound admiration that I rise today to honor Marine Corps General John Kelly, who just recently became the Corps' fifth active four-star general and took the helm of U.S. Southern Command.

General Kelly has a long and distinguished military career, leading Marines through peacetime and war. His record of accomplishment has earned the respect of not just Marines, but the entire military and civilian leadership structure, and members in both bodies of Congress.

General Kelly is not just someone who I consider a good friend. Having served as a Marine, I also consider him to be a high-caliber officer who embodies all the qualities that make the Marines the most effective fighting force in the world. Without a doubt, he's a role model and mentor to younger Marines. He's a trusted voice for U.S. national security and his service to the nation, spanning more than four decades, has been an asset for the Marine Corps and the entire country.

Those who have had the distinct opportunity to learn from General Kelly and observe him in action are even better Marines today. He's been an inspirational figure to many—myself included—and now as head of U.S. Southern Command, he will surely make his mark as a superior and effective officer who is capable of leading at the highest levels.

Among Marines, the rank of four-star general is attainable only to a select few. They are considered the best and brightest military minds. They are tactically coherent. They are masters of strategic planning and they represent both the intimidating strength and goodwill that is associated with the Marine Corps and the rest of America's military.

General Kelly is the right person to lead U.S. Southern Command at the right time. There is no shortage of challenges throughout the Caribbean, Central America and South America. America faces threats from drug trafficking, corruption and cyber attacks. With General Kelly at the forefront, America will be safer and more secure, and we'll surely be in a position to make progress toward improving conditions in countries that are so close to our doorstep.

And I know I speak for the rest of my colleagues in expressing my gratitude for General Kelly's service. He's an exceptional leader who deserves our unending respect and appreciation for a military career that first began in 1970 when he enlisted in the Marine Corps.

Mr. Speaker, I ask that my colleagues join me in wishing General Kelly much success as the Marine Corps' newest four-star general and the head of U.S. Southern Command. Semper Fi.

BETH DUPREE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor Dr. Beth DuPree, a breast surgeon, oncologist and the medical director for Holy Redeemer's Breast Health Care Program in my home of Pennsylvania.

Earlier this month, Dr. DuPree was honored with the inaugural Be Well Philly Hero Challenge. This award, presented by Philadelphia Magazine, honors local champions of health and wellness.

In addition to recognizing the work of Dr. Dupree in her medical practice, Philadelphia Magazine has awarded The Healing Consciousness Foundation with a $2,500 charitable donation.

Founded by Dr. Dupree in 2006, The Healing Consciousness Foundation works to improve the quality of life of breast cancer patients through a holistic approach which includes exercise programs, counseling and education services and diet coaching.

The Be Well Philly Hero Challenge award marks the latest in a long line of achievements presented to Dr. DuPree throughout her career.

Many of our families, my own included, have been affected by breast cancer, and it is thanks to the dedication of men and women like Dr. Beth DuPree that treatments are constantly evolving and improving as we work towards a cure.

Congratulations again to Dr. DuPree and I wish her the best of luck going forward.

TRIBUTE TO JASPER E. PEYTON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute to and honor the Reverend Jasper E. Peyton, a man dedicated to serving God, his family, and the community.

Reverend Jasper E. Peyton, native of Richmond, Virginia is a graduate of the Armstrong High School in Richmond, Virginia. He entered the military service while a student at Virginia Union University and while serving in the Philippine Islands, he attended the University of Philippines in Manila and majored in Business Administration. After being discharged from the military he enrolled in City College of New York and graduated in 1952. His education also includes labor studies at Wagner College, Staten Island, New York; and courses at the School of Journalism at Rutgers University and at New York Theological Seminary. Reverend Peyton served as an adjunct professor in the Black Studies Department at Fordham University, Manhattan Campus. In February of 2007 Reverend Peyton was presented the degree of Doctor of Humane Letters from the Eastern Theological Seminary.

Reverend Jasper Peyton joined the International Ladies Garment Workers Union in 1950 and served in several capacities including: organizer, shop steward, editor of the local newspaper, local education director, assistant national education and political director, art class instructor, a founder of the Fulton Art Fair in Brooklyn, New York and ILGWU training institute coordinator. During his labor career, Reverend Peyton participated in international labor conferences in Ethiopia, Kenya, Nigeria and Ghana, Africa. He was listed in Who's Who in American Labor. Reverend Peyton is the former President of the Congress of Christian Education of the New York State Progressive National Baptist Convention, and served as Chaplain in the New York State Supreme Court Officers Association, ILA–AFL–CIO.

Reverend Peyton's many commitments at Bethany Baptist Church have included former President of the Senior Choir, President of the Presidents Council, President of the Virginia Club, Chairman of the Board of Deacons. He is presently the Adult Sunday School instructor. Dr. Peyton served as Interim Pastor at Bethany Baptist Church until January 2008 and as Assistant to the Pastor under Dr. David A. Hampton, the tenth pastor called to the historic Bethany Baptist Church of Brooklyn until his departure in December of 2011.

Rev. Peyton is the father of one daughter, Rose LaVerne Abernathy, grandfather of six and great-grandfather of twenty.

Mr. Speaker, I would like to recognize the Reverend Jasper E. Peyton 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 Jasper E. Peyton.

CONGRATULATING DENNIS GEHRINGER

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise to congratulate Mr. Dennis Gehringer on his retirement from First National Bank of Howell after a distinguished 44 year career.

Mr. Gehringer's career is truly an American success story. He progressed from errand boy to teller to collector before becoming a Loan Officer and ultimately a Commercial Loan Officer in 1984. In addition to his job duty progression, Mr. Gehringer was also promoted in rank within the bank from an assistant cashier to assistant vice-president then to vice-president and retires as a Senior Vice President, a rank he has held since 1989, among the highest ranking officers in the bank hierarchy aside from the Chief Executive.

Although Mr. Gehringer gained significant professional accomplishments during his tenure, when asked, he said that he was most proud of the people that he and First National have helped over the years. From helping people start a business or just helping get a customer through a rough patch, Mr. Gehringer demonstrated the real value of a community banker with his ability to build relationships.

Mr. Gehringer has given back to the community where he has lived his entire life. He is the past President of the Livingston County Coin Club; an active participant with the Howell Chamber of Commerce; a Livingston County United Way Volunteer, and active in his church, St. Joseph's, as a Men's Club member and former Endowment Fund Chair. Mr. Gehringer also served on the Salvation Army board and as a Scout Master. Mr. Gehringer's community involvement was specifically recognized and celebrated on two different occasions. In 2001, he received the Charles W. Itsell Volunteer of the Year Award from the Livingston County United Way. Then, in 2003, the Howell Chamber of Commerce presented Mr. Gehringer with its Citizen of the Year Award.

Mr. Gehringer and his wife Laurie, who met at First National, have two children and one grandchild. Mr. Gehringer says he is most looking forward to spending more time with family, playing more golf, and continuing to enjoy the people and places of Livingston County.

I ask that the House of Representatives join me in thanking Mr. Gehringer for his exemplary service to his community and congratulating Mr. Gehringer on his retirement and we wish him the best of luck in his future endeavors.

IN RECOGNITION OF JOYCE C. ROSE

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. MICA. Mr. Speaker, I rise today to recognize the dedication of Joyce Rose, who is retiring after 25 years of service to the United States Congress. Joyce has worked for the Committee on Transportation and Infrastructure since 2001, and has served as the staff director of the Subcommittee on Railroads, Pipelines and Hazardous Materials since 2008.

Prior to her service with the U.S. House of Representatives, Joyce worked for 13 years on the U.S. Senate's Appropriations Subcommittee on Transportation. Joyce began her career on Capitol Hill as a staff assistant, and through her energy, inquiring mind, and hard work, rose to positions of greater responsibility.

She has worked for a total of 11 different committee and subcommittee chairmen and ranking members, and has given each her total loyalty and professional expertise. For her entire 25-year career, Joyce has worked on transportation policy and funding issues. Over the years, she has become a true subject matter expert, particularly in the areas of rail and transit policy.

Joyce has worked for me directly since I became the ranking member of the Committee on Transportation and Infrastructure in January 2007 and, subsequently, became Chairman last year. She was instrumental in helping me and my constituents in Central Florida get a new, 61-mile commuter rail system called Sun Rail approved and under construction.

She has advised me on legislation ranging from the 9/11 Implementation Act in 2007, to the 2008 Passenger Rail Investment and Improvement Act, to this year's MAP–21 surface transportation bill. I will miss her can-do attitude and deep knowledge of rail and transit issues.

Joyce was born on December 22, 1960 to Mary Jo and Joseph Comer in Leonardtown, Maryland. Her parents instilled a love of God and country, and strong commitment to public service—though Joyce's original plan was to teach music, and in fact, her college degree is in music education. I'm told that Joyce "keeps her hand in" music by volunteering to direct her church choir.

Joyce has been married for 29 years to Dale Rose, a mechanical engineer, and they have two children, Brian and Beau. Beau has Autism, and their experience as the parents of a disabled child has given Joyce and Dale the gift of advocating for those who can't speak for themselves.

Joyce is leaving us to take on a new position as President and CFO of Operation Lifesaver, Inc., a national, non-profit safety education group whose goal is to eliminate deaths

and injuries at railroad crossings and along railroad rights of way.

Mr. Speaker, I ask you and all of our colleagues to join in thanking Joyce Rose for her years of service to the U.S. Congress and our Nation. We wish her well in her new career at Operation Lifesaver.

ROCKET ATTACKS ON ISRAEL FROM GAZA

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Ms. HIRONO. Mr. Speaker, I rise today in strong solidarity with the people of Israel and in support of its right, as any sovereign nation, to defend its citizens against rocket attacks from Hamas, a terrorist organization dedicated to Israel's destruction. The rocket attacks launched from the Hamas-controlled Gaza strip earlier this month against civilian targets in Israel, including Tel Aviv and Jerusalem, continued a reign of terror that includes over 800 rocket attacks this year alone.

Several years ago, I traveled to Israel. It was clear that the constant threat of violence was a harsh reality of everyday life. Israel's efforts to eliminate this threat to her people, stop these attacks by Hamas, and destroy stockpiles of missiles must be viewed in this context. We grieve for the innocent civilians—Israeli and Palestinian alike—who have lost their lives in this tragedy. We appeal to Hamas to honor the ceasefire it agreed to on November 21, 2012; adhere to its terms; and stop storing and using its weapons among a civilian population, putting their lives in grave danger.

We also appeal for peace, and we hope those countries in the region that can help end the conflict will continue to work with us to do so. Our goal is a world where a Palestinian state and a Jewish state of Israel live side by side in peace and security. It can only happen when the Palestinian people enforce a peace that stops attacks on Israel, keeps their commitments, and acknowledges Israel's right to exist.

America stands firmly behind our friend and ally Israel; Hamas must permanently end its aerial assault against Israeli civilians and its allies must cease supplying these weapons of terror.

IN HONOR OF THE CITY OF IRVING ON ITS RECEIPT OF THE MALCOLM BALDRIGE NATIONAL QUALITY AWARD

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to recognize the City of Irving, Texas, for being named a recipient of the 2012 Malcolm Baldrige National Quality Award—the nation's highest Presidential honor for performance excellence.

Irving, Texas, is the first city in Texas to ever receive the Baldrige Award, and is only the second municipal recipient in the distinguished program's 25-year history. Applicants were evaluated by an independent board of examiners in seven areas defined by the Baldrige Criteria for Performance Excellence: leadership; strategic planning; customer focus; measurement, analysis and knowledge management; workforce focus; operations focus; and results. The evaluation process for each of the recipients included hundreds of hours of process review and an on-site visit by a team of examiners.

I commend the City of Irving, Texas, for adopting private sector programs to make government more efficient and for striving towards performance excellence through innovation, continuous improvement, and visionary leadership. The City of Irving is a Lone Star model of fiscal achievement, values its resident feedback, focuses on strategic planning and process efficiency, and prioritizes public safety initiatives.

Mr. Speaker, I ask my respected colleagues to join me in recognizing the City of Irving, Texas, for being awarded the Malcolm Baldrige Award National Quality Award.

IN MEMORY OF OFFICERS KEVIN BOWDEN AND ADRIAN MORRIS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. HOYER. Mr. Speaker, since August of this year, the people of Prince George's County, Maryland, have lost two of their finest. Tragically, in separate incidents, two Prince George's County police officers were killed in car crashes. Both men served with distinction and were dedicated to keeping our communities safe.

On August 20, while he and his partner were in a high-speed pursuit of a suspect in an attempted car theft, Officer Adrian Morris's police cruiser veered off of the Capital Beltway near Laurel, Maryland. Adrian was killed in the line of duty, and his partner, Mike Risher, severely injured. An immigrant originally from Kingston, Jamaica, Adrian wanted to be a police officer since a young age. While attending Eleanor Roosevelt High School in Greenbelt, he participated in the Prince George's County Police ''Explorers'' program, which helps young people learn about and prepare for careers in law enforcement. Adrian achieved his dream by joining the Prince George's County Police Department's Sixth District in 2010. When he was killed this past August, Adrian was only 23 years old. His mother, Sherrin Crosdale, and a younger brother survive him.

In a second, tragic setback to the men and women of the Prince George's County Police Department, on October 18 an accident took another officer's life. Off-duty Officer Kevin Donnell Bowden was headed home in his police cruiser after a shift when he was killed in a crash in Clinton, Maryland. Kevin had been with the force for six years, serving at the Oxon Hill station. His colleagues remembered him as a steady officer with a sense of humor who loved his job. Kevin grew up in the area and graduated from Surratsville High School. He loved football and was an avid fan of the Dallas Cowboys. Kevin, who was 28 years old, was also a devoted father of sons DeAndre and Joshua and daughter Mahogany.

The loss of these two outstanding officers was a terrible blow to the Prince George's County Police Department and to all who call the County home. Adrian Morris and Kevin Bowden represent the finest tradition of service to our communities, and they will be sorely missed. I join in mourning their passing and in comforting their families and communities during this difficult time, and I am confident that their memories will inspire young people to follow in their footsteps in service to county, state, and country.

CONGRATULATING JINSA ON ANOTHER SUCCESSFUL GENERALS AND ADMIRALS TRIP TO ISRAEL

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. CANTOR. Mr. Speaker, I rise today to recognize The Jewish Institute for National Security Affairs and their continued excellence in providing American military leaders with an unparalleled look at the challenges facing Israel, our closest ally in the Middle East. JINSA's annual Generals and Admirals Trip to Israel offers recently retired American generals and admirals the opportunity to consult with Israel's senior political and military leadership on the persistent threats Israel faces across its borders and the shared threats our countries face in the region.

America has a long standing commitment to the U.S.-Israel strategic relationship, a unique bond forged by shared interests and shared democratic values. No country in the tumultuous region stands aligned with our ideals more than Israel. Amid a rising tide of radicalism and violent extremism in the region it is imperative that the United States stand by her ally and ensure that Israel can maintain its Qualitative Military Edge so that threats to Israeli and American security will be answered with strength and resolve. America's military and intelligence cooperation has proven successful and our joint missile defense efforts such as Iron Dome, David's Sling, and Arrow have saved lives from the rockets launched into Israel from the Gaza Strip. These collaborations have also prevented weapon smuggling in the Sinai Peninsula and have effectively protected Israel against terrorism.

Unfortunately, as Iran expands its influence in the region, the threat of terrorism and conflict grows. Iran's radical mullahs call for death and destruction of Israel, America, and all that we stand for. Iran also continues their longstanding efforts to acquire nuclear weapons and today they are closer than ever to a nuclear bomb. The sanctions we have implemented have impacted Iran's economy, but Iran's leaders remain undeterred from their pursuit of their dangerous goal and continue to support various terrorist factions such as Hamas, Hezbollah, and the Taliban. Iran's leaders are also strategic patrons of Syrian Dictator Bashar Assad, a brutal despot and sponsor of terrorism whose violent suppression of his own citizens has fueled sectarian conflict and extremism in violence in Syria. The United States must act as a global leader in order to thwart Iran's nuclear capabilities, combat their terrorist proxies, and ensure that the security of the United States, Israel, and our Arab allies is assured.

Mr. Speaker, please join me in recognizing JINSA for another successful trip that seeks to solidify our nation's support for Israel, with whom we share a commitment to freedom, a respect for human life, and a commitment to security. Global security depends on strong U.S. leadership. The U.S. must stand tall for Israel, now more than ever, and must not abandon our ally at a time of enormous instability in the region.

COMMEMORATING THE 20TH ANNIVERSARY OF TIME WARNER'S NY1

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. GRIMM. Mr. Speaker, I rise today to commemorate the 20th anniversary of Time Warner's NY1 News and honor their commitment to serving the people of New York City as the only city-wide 24-hour local news channel.

NY1 has become a New York institution, part of the fabric of daily life for millions across the five boroughs of New York City. Since its debut on September 8, 1992, New Yorkers have come to depend on NY1's credible, accurate and thorough reporting on the stories and issues we care about.

Born out of Time Warner Cable's commitment to providing New Yorkers with comprehensive information about the city in which we live, NY1 continues to live up to the mandate to cover the stories big and small, the major events and breaking news as well as the neighborhood and community stories that make the city tick.

New Yorkers have come to depend on NY1 to stay informed with segments including the NY1 Minute, In the Papers, Weather on the 1s, Rail and Road, and From the Floor. NY1 also offers exclusive quality programming such as Inside City Hall, NY1's required nightly viewing for everyone in the political world, or On Stage, which provides a unique perspective on the latest shows on Broadway. In 2003 Time Warner added NY1 Noticias. Modeled after NY1 News it provides a strong emphasis on New York City news, politics and culture from a Hispanic perspective.

Mr. Speaker, this past September 8th, NY1 celebrated its 20th anniversary. Please join me in honoring Time Warner and NY1 News for its commitment to providing quality local news programming to New Yorkers whenever they want it. We should celebrate the benefits NY1's service provides as an indispensable community asset in New York City.

IN TRIBUTE OF BERT AND JANE BOECKMANN

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to two exceptional people my wife, Janice, and I are honored to call our friends, Bert and Jane Boeckmann, who have contributed much to our world as extraordinary entrepreneurs, philanthropists, and volunteers.

Bert Boeckmann, my friend of more than 25 years, is the owner and Chief Executive Officer of Galpin Motors, Inc. Starting from a modest background, he built an automotive empire from the ground up with hard work, integrity, vision, and a deep caring for others. For the past 22 years, Galpin has been No. 1 in Ford car and truck sales worldwide. Galpin currently ranks No. 1 in Jaguar sales worldwide and No. 1 in the Western United States for Mazda and Lincoln.

Boeckmann has been recognized nationally as the American Brand Names Foundation Retailer of the Year; is entered into the Automotive Hall of Fame; is the recipient of Time Magazine's National Dealer of the Year, given to only one of the country's 25,000 dealers each year in tribute to that dealer's customer service, sales volume, and citizenship; and has received thousands of other awards and recognitions.

Boeckmann also has been honored with countless awards for his community service and leadership locally and nationally, including The Fernando Award; the first Business "Star of the Valley" from the Economic Alliance of the San Fernando Valley; and The Presidential Citation for Private Sector Initiatives, the nation's highest award for entrepreneurs. As a Horatio Alger Award recipient, he is named among The Horatio Alger Association of Distinguished Americans.

He served nearly 17 years as a Los Angeles Police Commissioner and was the only police commissioner appointed to serve four consecutive terms under the administrations of Mayors Bradley, Riordan, and Hahn. During his tenure, he served alongside six Chiefs of Police.

His philanthropic endeavors include everything from helping the needy in his own community to building schools, playgrounds, and university libraries. He arranged for the delivery and personally helped distribute 56,000 pounds of seeds to help the Russian people survive the coming winter, and arranged for and presented a $1 million gift of medical supplies, food, and clothing to Mother Teresa for her worldwide charities.

As President of The Prince of Peace Foundation, he presented The Prince of Peace Prize to Mother Teresa, King Hussein of Jordan (accepted posthumously by his son, King Abdullah), and, most recently, to the Reverend Dr. Billy Graham.

Bert and Jane have been married 45 years and have lovingly supported each other in their mutual and separate endeavors. Jane Boeckmann is President of the Los Angeles based-firm World of Communications, Inc., the publisher of L.A. Brides and Valley Magazine. She also serves as Treasurer of Galpin Motors and is the official Interior Designer for all their facilities. Previously she was treasurer and Interior Designer for Establishment Motor Homes. Her career also includes the role of executive producer of documentaries and docudramas for television, including the award-winning "Desperate Passage."

Among their many honors, Bert and Jane received the coveted Jack Webb Award from the Los Angeles Police Historical Society and were both honored with Honorary Doctorates from Kings College and Seminary.

In addition, Jane and Bert are the devoted parents of five children and devoted grandparents of 11 grandchildren.

Mr. Speaker, I know my colleagues join me in thanking Bert and Jane Boeckmann for their extraordinary business leadership, community service, and deep commitment to humanity, and in wishing them continued success.

THE PRIDE OF ACADIANA RISES TO THE OCCASION DURING MACY'S 2012 THANKSGIVING DAY PARADE

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. BOUSTANY. Mr. Speaker, I rise to congratulate the University of Louisiana at Lafayette's Marching Band for again being selected to perform during the nationally televised annual Macy's Thanksgiving Day parade in New York City. The band, known as the Pride of Acadiana, lived up to its name under the leadership of Doctors Brian Taylor and Gerald Waguespack.

As a proud alumnus of the University, I want to thank all band members for your hard work and excellent performance before an estimated 65 million viewers.

I specifically want to commend band member Eric Gaudet of Thibodeaux, Louisiana for winning the Bob Hope Band Scholarship Award provided by Macy's and the Bob and Delores Hope Charity Foundation. Gaudet and the band received the $10,000 prize based on Eric's musical ability, leadership, humor and community service. You gave all of us in South Louisiana another reason to be thankful as we celebrated a national holiday with friends and family.

HONORING ROBIN J. COPELAND

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize Robin J. Copeland, who passed away on October 30, 2011 at the young age of 46.

Ms. Copeland served this great Nation with honor and dignity for many years. She had a very distinguished career in international diplomacy, nonproliferation, and scientific engagement.

She began government service working in Russia in 1991, where she became the U.S. Department of Energy's attach at the U.S. Embassy in Moscow. At the time, this was our largest Embassy in the world. She later served in Moscow with the U.S. Agency for International Development. In this role, she became the first woman and first person under the age of 50 to hold the office of Chairman of the Interagency Council. As an energy specialist, she worked on several non-proliferation programs that resulted in effectively stemming the spread of weapons of mass destruction from the former Soviet Union.

She also was successful in thwarting proliferation of weapons of mass destruction, and exporting of technologies and former Soviet scientists through her work as the Worldwide Director of Nonproliferation for the Civilian Research Development Foundation (CRDF) Global. And due to her expertise in non-proliferation, she took part in contractor efforts to

monitor Libya's nuclear programs following the return of Libyan WMD to the United States in 2003.

In addition to her work on non-proliferation issues, she used her expertise on Russia and developed and implemented the U.S. program that trains Russian doctors with our doctors in Africa involved in the treatment and care of those with HIV/AIDS.

Ms. Copeland was born in Florida and grew up in Connecticut, but she and her family have deep roots in West Texas where her parents and grandparents are Dimmitt, Texas natives. In honor of Ms. Copeland, Texas Tech University in Lubbock, Texas, has developed a scholarship for students interested in using scientific and technical skills to promote peace internationally. This is a very unique scholarship as it is the only one of its kind at any major university in America.

I congratulate Texas Tech University in developing this scholarship, and I think it is a great honor to a great American who served this country with such distinction. I send my thoughts to her family, and it is my distinct pleasure to honor Robin Copeland.

CONGRATULATING PROFESSOR LEI ZUO

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize and congratulate Professor Lei Zuo of Stony Brook University and his students, Teng Lin and John Wang, for their tremendous achievement as their project was recently named Best Application of Energy Harvesting at the Energy Harvesting and Storage USA 2012 conference.

There has been a significant progress over the last couple of decades to find new and innovative ways to generate, store, and harness energy in an efficient, cost-effective, and environmentally-friendly manner. This is exactly what Professor Zuo and his team have done. The project, entitled ''Mechanical Motion Rectifier (MMR) based Railroad Energy Harvester,'' has the potential to revolutionize the way in which railroad equipment is powered.

Professor Zuo and his team have been studying various uses for MMR technology. They first created a device that can be retrofitted to automobiles and use vibrational energy captured as the car travels to recharge the battery and power other electronic components. They then turned their attention to other industries in which the technology might be useful. The railroad industry presented the type of challenge the team was looking for.

In order to operate the over one hundred thousand miles of track throughout the United States efficiently and with as few train accidents as possible, the industry utilizes a system of signal lights, crossing gates, and track switches. Each of these systems requires electricity to operate, which often means having to find a way to install and maintain power sources in remote or hard-to-access locations.

The device created by the team at Stony Brook University can be installed on train tracks without much difficulty. It collects the unusable up-and-down vibrational energy created by train cars passing over the tracks; this type of energy is generally wasted. The collected energy is then converted into unidirectional energy that can be used to power the safety components needed to operate the rail system. The creation of electricity at the location where it is needed will save time and money that would otherwise be required to install, maintain, and repair electrical lines connected to the components. Over the long run, this technology will help increase the efficiency of rail systems and, hopefully, cut down on costly service disruptions.

I thank Professor Zuo and his team for their important work on energy harvesting. It is critical that we find new and innovative ways to increase energy efficiency. Projects such as this, which find ways to capture energy that would otherwise be lost, are the key to unlocking new avenues of green technology. I also wish to congratulate Stony Brook University, which I am very proud to represent in Congress, for its continuing support for innovative breakthroughs in science and technology.

Mr. Speaker, on behalf of New York's first congressional district, I again congratulate Professor Zuo and his team on the well-deserved recognition they have received and wish them success in their future research endeavors.

RECOGNIZING THE LIFE OF SERVICE OF RICHARD ''RJ'' KRAUSE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the life of service of Richard ''RJ'' Krause as well as that of his brother, Russell Krause.

RJ Krause has been a well-known figure in the East St. Louis and surrounding community, particularly for his tremendous work for youth sports.

A product of East St. Louis parochial and public schools, RJ graduated from East St. Louis Senior High School (East Side) and went on to Southwestern Illinois College (then Belleville Area College) and Southern Illinois University Edwardsville. RJ's early interest in serving area youth made a career in education a natural fit and he would go on to teach for 38 years before retiring in 2010.

RJ began his coaching career in 1964, the same year he started high school. He has coached most sports, including basketball, baseball, softball, football, tennis and cheerleading. On February 10, 2004, RJ coached in his 6,000th athletic event, a tremendous accomplishment that bears witness to his tireless dedication to youth sports.

In 1979 RJ founded the RJ Krause All-Stars sports club. Through this organization, a generation of mostly at-risk boys and girls has had the opportunity to develop their athletic talents through organized sports as well as going on educational field trips and many other wholesome activities.

While teaching and coaching, RJ has found time to make many other significant contributions to his community. He has served as precinct committeeman, county board member and township clerk.

RJ's list of awards is long, including the Kimmel Community Service Award, the St. Vincent de Paul Society Volunteer of the Year Award, the St. Louis Sports Commission Award and, most recently, the East St. Louis NAACP Stellar Life Achievement Award.

Through most all of RJ's lifetime of service, he has had a constant companion who has worked just as tirelessly for the youth of our area, his brother, Russell Krause. Russell has also received his share of local awards, including being nominated for the Dr. King Award, being named a Hardee's Hometown Hero and recognition from the St. Louis Sports Commission.

Mr. Speaker, I ask my colleagues to join me in honoring two champions for youth sports and the St. Louis Metro East community, Richard ''RJ'' Krause and his brother, Russell Krause and in wishing both of them and their family the very best in the future.

CONGRATULATING THE SOUTHERN MARYLAND ELECTRIC COOPERATIVE ON ITS 75TH ANNIVERSARY YEAR

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. HOYER. Mr. Speaker, I rise to congratulate the Southern Maryland Electric Cooperative—known colloquially as ''SMECO''—on 75 years of serving communities in Maryland's Fifth District. Since its humble beginnings bringing power to a handful of farmers, SMECO has become a major utility that fuels economic growth across Southern Maryland.

In 1937, SMECO was first incorporated in the wake of President Roosevelt's New Deal initiative to connect rural areas with electricity. With assistance from Roosevelt's Rural Electrification Administration, SMECO brought affordable light and power to families in Charles, St. Mary's, and Calvert Counties for the first time. Over the years, SMECO expanded its service and brought electrical power to communities the major urban and suburban utilities had left in the dark.

As one of the oldest and largest electricity cooperatives in the country, SMECO is owned by the families and businesses it serves, with all profits reinvested in infrastructure improvements or as rebates to shareholders. What began with 400 families just before the Second World War today provides power to over 147,000 homes and businesses across Southern Maryland.

Mr. Speaker, on behalf of all the people of our District, I want to thank the men and women of SMECO for their hard work throughout the years. Whether it is a snow storm or a hurricane, they immediately go to work and, within days, restore power for most shareholders who have lost their connections as a result of downed wires. I commend them for their focus and diligence during these emergencies and for continuing to earn praise from shareholders for their preparedness and responsiveness along with respect from utility management professionals across the country.

I also join in celebrating this milestone of 75 years of creating opportunities for rural Marylanders. For three quarters of a century, the men and women of SMECO have played a vital role in the economy and community of Southern Maryland for which they are to be commended.

HONORING THE LIFE OF DR. THOMAS LESTER BRATCHER

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. FLORES. Mr. Speaker, today I rise to pay tribute to Dr. Thomas Lester Bratcher, who resided near Cranfills Gap in Bosque County, Texas. He passed on November 3 at the age of 70.

Dr. Bratcher was born in Ft. Worth, Texas on July 9, 1942. He graduated from Eastern Hills High School in Ft. Worth and went on to receive a Bachelors of Science in mathematics from Arlington State College, and a Master of Science in statistics and Ph.D. in statistics from Southern Methodist University.

Dr. Bratcher would go on to teach statistics at the University of Louisiana in Lafayette. Years later he moved to central Texas to teach at Baylor University, where he specialized in Bayesian Methods. For the past 20 years he directed the Ph.D. program in statistics at Baylor. Dr. Bratcher was a founder and primary organizer of the Conference of Texas Statisticians which has been meeting now for 32 years.

Dr. Bratcher was an active participant in numerous causes, including the Arts Council and has been serving as Bosque County Republican Chairman since 2009. As Chairman, he was staunch supporter of conservative ideals and helped get city, county, state, and federal officials elected.

Dr. Bratcher was a member and past president of the Council of Texas Statisticians, a member and past president of the Southern Regional Council on Statistics, and a member of the American Statistical Association and the Sigma Xi Society. He was the author of numerous scholarly publications.

Dr. Bratcher is survived by his loving wife, Nancy, mother, Laura Margaret and his loving children, grandchildren, and great-grandchildren.

His loving wife said it best when she wrote that "his legacy—in all its many expressions of love, courage, integrity, principle, and unbridled passion for all he did—is with us always."

Today I pay tribute to a humble man who served Bosque County with honor and great respect. I know I am not alone as I say thank you, Dr. Thomas Bratcher, for all that you have done for the Bosque County community.

Mrs. Bratcher and her family remain in our prayers.

IN HONOR OF HARRISON INDUSTRIES' 80 YEARS OF SERVICE

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 27, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in honor of Harrison Industries, which was founded 80 years ago when E.J. Harrison offered to haul his neighbors' rubbish to the dump for 75 cents a load. His offer landed him 150 customers in the first year.

From those humble beginnings, Harrison Industries has continued to evolve and set the standards for rubbish collection while generously contributing to its community's success.

Family owned and operated Harrison Industries is one of the oldest and largest privately owned rubbish collection businesses in the United States. It provides residential, commercial, and industrial services to about 90,000 customers in Ventura and Santa Barbara counties.

E.J. died in 1991 but his wife, Myra, remains with the company as founder. Four generations of Harrison family members are involved in the day-to-day operations of the company. Myra's oldest son, Ralph, is president while her other sons, Jim and Myron, serve as vice presidents.

Harrison Industries is on the forefront of the recycling movement in California. In 1990, Harrison was among the first rubbish haulers in California to institute a three-barrel residential curbside recycling service for rubbish, recycling, and yard waste. Recyclables are delivered to Harrison's strategic partner Gold Coast Recycling and Transfer Station, while yard waste goes to Agromin, which uses cutting-edge technology to convert it into reusable soil amendments, barks, and mulches.

In 2012, Harrison Industries is undertaking new efforts toward achieving its goal of "Zero Waste."

Harrison Industries has won many awards in recognition of its financial support of local nonprofit organizations and community cultural events.

Of the more than 150 non-profit organizations Harrison Industries has supported over the past eight decades, its substantial donations and support include: The E.J. Harrison Family Youth Center—the future home of the Saticoy branch of the Boys & Girls Club of Ventura; The Myra & E.J. Harrison Room at the East Ventura Boys & Girls Club; the inner courtyard of the Museum of Ventura County; The E.J. Harrison Family Promenade at Ojai's Libbey Bowl; The Harrison Industries Classroom/Computer Lab at the California State University Channel Islands' John Spoor Broome Library; the Ventura Cross; the Ventura Pier; Ventura County Fairgrounds; and, The "Eagle's Nest" at Carpinteria State Beach's Interpretive Play Area.

Mr. Speaker, Ralph, Jim, Myron, and their families have been friends of my wife, Janice, and me for a very long time. I know my colleagues join me in honoring the Harrison family and Harrison Industries for 80 years of business leadership, community service, and deep commitment to public service, and in wishing them continued success.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6909–S6983

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 3639–3642, and S. Res. 601–602. **Page S6947**

Measures Reported:

S. 2178, to require the Federal Government to expedite the sale of underutilized Federal real property, with an amendment in the nature of a substitute. (S. Rept. No. 112–241) **Page S6947**

Measures Passed:

Economic Espionage Act: Senate passed S. 3642, to clarify the scope of the Economic Espionage Act of 1996. **Pages S6978–79**

Year of the Korean War Veteran: Senate agreed to S. Res. 602, designating 2012–2013 as the "Year of the Korean War Veteran" and recognizing the 60th anniversary of the Korean War. **Page S6979**

Measures Considered:

National Defense Authorization Act: Senate began consideration of the motion to proceed to consideration of S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Pages S6909–14, S6921–22**

Convention on the Rights of Persons with Disabilities Treaty: Senate began consideration of the Convention on the Rights of Persons with Disabilities, adopted by the United Nations General Assembly on December 13, 2006, and signed by the United States of America on June 30, 2009 (the "Convention") (Treaty Doc. 112–7). **Pages S6922–23, S6923–39**

Prior to the consideration of this treaty, Senate took the following action:

By 61 yeas to 36 nays (Vote No. 205), Senate agreed to the motion to proceed to Executive Session to consider the Convention on the Rights of Persons with Disabilities, adopted by the United Nations General Assembly on December 13, 2006, and signed by the United States of America on June 30, 2009 (the "Convention") (Treaty Doc. 112–7). **Page S6923**

Nominations Received: Senate received the following nominations:

Nitza I. Quinones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

1 Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Foreign Service, and Navy. **Pages S6979–83**

Measures Placed on the Calendar: **Pages S6909, S6943**

Executive Communications: **Pages S6943–47**

Additional Cosponsors: **Pages S6947–48**

Statements on Introduced Bills/Resolutions: **Pages S6948–49**

Additional Statements: **Pages S6942–43**

Amendments Submitted: **Pages S6949–78**

Authorities for Committees to Meet: **Page S6978**

Privileges of the Floor: **Page S6978**

Record Votes: One record vote was taken today. (Total—205) **Page S6923**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:47 p.m., until 10 a.m. on Wednesday, November 28, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6979.)

Committee Meetings

(Committees not listed did not meet)

UPDATE ON ARMS CONTROL MATTERS

Committee on Foreign Relations: Committee received a closed briefing on an update on arms control matters from intelligence community briefers.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 6 public bills, H.R. 6603–6608; and 1 resolution, H. Res. 818 were introduced. **Page H6469**

Additional Cosponsors: **Page H6469**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Womack to act as Speaker pro tempore for today. **Page H6431**

Recess: The House recessed at 2:10 p.m. and reconvened at 4:34 p.m. **Page H6432**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Mandatory Operational Control Reporting and Performance Measures Act of 2012: H.R. 6025, amended, to provide for annual reports on the status of operational control of the international land and maritime borders of the United States and unlawful entries; **Pages H6432–34**

DHS Accountability Act of 2012: H.R. 5913, amended, to create an independent advisory panel to comprehensively assess the management structure and capabilities related to the Department of Homeland Security and make recommendations to improve the efficiency and effectiveness of the management of the Department; **Pages H6434–37**

Jaime Zapata Border Enforcement Security Task Force Act: Concur in the Senate amendment to H.R. 915, to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, by a ⅔ yea-and-nay vote of 397 yeas to 4 nays, Roll No. 610; **Pages H6437–39, H6443–44**

Medical Preparedness Allowable Use Act: H.R. 5997, amended, to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities, by a ⅔ yea-and-nay vote of 397 yeas to 1 nay, Roll No. 609; and **Pages H6439–40, H6442–43**

Clothe a Homeless Hero Act: H.R. 6328, to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations. **Pages H6440–41**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon tomorrow, November 28th. **Page H6441**

Member Resignation: Read a letter from Representative Jackson (IL), wherein he resigned as Representative for the Second Congressional District of Illinois, effective November 21, 2012. **Pages H6441–42**

Whole Number of the House: The Speaker announced to the House that, in light of the resignation of the gentleman from Illinois, Mr. Jackson, the whole number of the House is 433. **Page H6442**

Recess: The House recessed at 5:27 p.m. and reconvened at 6:30 p.m. **Page H6442**

Senate Message: Message received from the Senate today appears on page H6431.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H6442–43, H6443–44. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 9:44 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 28, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: Subcommittee on International Development and Foreign Assistance, Economic Affairs and International Environmental Protection, to hold hearings to examine evaluating current United States global food security efforts and determining future United States leadership opportunities, 10 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of Robert F. Godec, of Virginia, to be Ambassador to the Republic of Kenya, and Deborah Ann McCarthy, of Florida, to be Ambassador to the Republic of Lithuania, both of the Department of State, 2 p.m., SD–419.

House

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Examining Options to Combat Health Care Waste, Fraud and Abuse'', 10 a.m., 2123 Rayburn.

Committee on the Judiciary, Subcommittee on Intellectual Property, Competition and the Internet, hearing entitled ''Music Licensing Part One: Legislation in the 112th Congress'', 11:30 a.m., 2141 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 6429, the ''STEM Jobs Act of 2012'', 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Space and Aeronautics, hearing entitled ''National Priorities for Solar and Space Physics Research and Applications for Space Weather Prediction'', 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, hearing entitled ''Getting Back on Track: A Review of Amtrak's Structural Reorganization'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Full Committee, hearing entitled ''VA Conference Spending Accountability'', 10:15 a.m., 334 Cannon.

Next Meeting of the SENATE

10 a.m., Wednesday, November 28

Senate Chamber

Program for Wednesday: The Majority Leader will be recognized.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Wednesday, November 28

House Chamber

Program for Wednesday: Consideration of the following measures under suspension of the rules: (1) H.R. 6604—To designate the federal building currently known as Federal Office Building 8, located at 200 C Street Southwest in the District of Columbia, as the ''Thomas P. O'Neill, Jr. Federal Building''; (2) H.R. 6374—To designate the facility of the Department of Veterans Affairs located at 180 Martin Drive in Carrollton, Georgia, as the ''Trinka Davis Veterans Village''; (3) H.R. 5788—To designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the ''National Park Ranger Margaret Anderson Post Office''; (4) H.R. 5738—To designate the facility of the United States Postal Service located at 15285 Samohin Drive in Macomb, Michigan, as the ''Lance Cpl. Anthony A. DiLisio Clinton-Macomb Carrier Annex''; (5) H.R. 3892—To designate the facility of the United States Postal Service located at 8771 Auburn Folsom Road in Roseville, California, as the ''Private First Class Victor A. Dew Post Office''; (6) H.R. 2338—To designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the ''Harry T. and Harriette Moore Post Office''; (7) H.R. 3912—To designate the facility of the United States Postal Service located at 110 Mastic Road in Mastic Beach, New York, as the ''Brigadier General Nathaniel Woodhull Post Office Building''; and (8) H.R. 5954—To designate the facility of the United States Postal Service located at 320 7th Street in Ellwood City, Pennsylvania, as the ''Sergeant Leslie H. Sabo, Jr. Post Office Building''.

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