United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, MONDAY, DECEMBER 31, 2012 No. 171

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. HARPER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 31, 2012.

I hereby appoint the Honorable GREGG HARPER to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 9:50 a.m.

THE FISCAL CLIFF

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

Mr. BLUMENAUER. Mr. Speaker, Congress is here on New Year's Eve with the people they love: themselves, the special interests, and the policies of the past.

The overhyped fiscal cliff may well be upon us, and we will find $600 billion of deficit reduction with tax increases and spending cuts, and then there will be the howls that we are doing it too abruptly from some of the same people who demanded this system of expiring cuts and sequestration in the first place.

Make no mistake. There will be some real damage. We will be squeezing some people who deserve far better, and then we'll be scrambling to refine the budget reductions in a way that makes sense. And some time in the hours, days, and weeks ahead, we will get a semibalanced small agreement, very likely, struggling throughout the new Congress with budget bluster, especially in the House, moving from crisis to deadline to showdown.

It's ironic because it doesn't need to be this hard. We could use the pressure and revenue from expiring temporary tax cuts to enact tax reform to provide the money that a growing and aging American population needs, but do it in a simpler, fairer way. We could actually reduce entitlement spending on Medicare by accelerating the health care reform, which is what, in Oregon, we've committed to do in exchange for some flexibility and some upfront funding. We have in place a program going forward that, if done on a national level, would save over $1 trillion over the next 10 years.

We shouldn't be fooling around with patching an outmoded, unfair farm bill. Let's reform it to support family farmers and ranchers, beginning farmers, especially those who grow food, not large agribusiness producing heavily subsidized commodities. We can save money, protect the environment, enhance wildlife, the experience for hunters and fishermen, and have a healthier America.

The military is the greatest source of money. We can start with 135,000 soldiers scattered in over 1,000 bases across the globe. We have a nuclear arsenal where we are spending several hundred billion dollars on weapons we can't use, we don't need and can't afford.

Mr. Speaker, the good news is that the public would support us in these steps. The good news is that, if we ever got the chance to consider them in a fair and open debate on the floor of the House, we would find bipartisan support for each of these real saving options. The good news is that, ultimately, we are going to take these steps, proving, once again, the wisdom of Winston Churchill when he observed that you could always count on the Americans to do the right thing after they have exhausted every other possibility.

GOING OFF THE FISCAL CLIFF WITH POCKETS FULL OF SOMEONE ELSE'S MONEY

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

Mr. POE of Texas. Mr. Speaker, ''We don't have a trillion-dollar debt because we haven't taxed enough; we have a trillion-dollar debt because we spend too much.'' That was Ronald Reagan in 1982.

President Reagan went on to lead America out of a recession, but history has a way of repeating itself. Somehow, Washington never gets the message, and here we are, 30 years later on the brink of another crisis on New Year's Eve, still addicted to spending money. Now we are over $16 trillion in debt. President Reagan's words and principles remain true today, and they were true when he said them: the problem is spending money.

Mr. Speaker, the American people know this. Why doesn't the Federal Government and Congress understand it? Why? Because Washington is obsessed with spending someone else's money. It's the arrogance of power that Congress spends the people's money without regard to how this obsession affects those very people.

When American families are in debt, they sacrifice and they cut spending, whether that means taking one less

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family vacation or fewer presents under the Christmas tree. Homes across the fruited plain are feeling the pain of the economic squeeze in their wallets, and they adjust accordingly, because that's what happens when times are tough. American families don't have a limited credit card like Congress does.

The people are angry because they wonder why reckless Washington can't do the same. I hear that message every day from southeast Texans. These citizens are wiser than the tax-and-spendocrats here in Washington, D.C. Let me share a few of those straight-talking Texans' words with you.

Michael says this:

> You can't have the cookies without the milk. Tax reform and spending cuts, not one without the other.

Hubert from Baytown, Texas, says this:

> Our children and grandchildren will have to recover from reckless spending. Washington has a spending problem, not a taxing problem.

Jeff says:

> You don't become fiscally responsible by continued increases in your credit card spending limit. Folks in Congress need to quit running from the hard choices and stop burying our children and grandchildren in debt.

David from Humble, Texas, said this:

> This isn't really rocket science. Stop spending money we don't have, cut back on what we do spend, and stop sending money to our enemies.

Now there's a novel idea.

Paul from Beaumont said this:

> We do not have a revenue problem; instead, we have a spending problem.

And it's been a spending problem for a long time.

Larry said:

> If I'm out of cash, I stop spending. Perhaps Congress should do the same thing that I do in my house. When I don't have enough money, I quit spending. But Congress has its own printing press backed by the Chinese.

Ashley says:

> Spending must be stopped. Just taking more from Americans will not fix this problem. Even if my direct taxes are not affected here, my employer's are. So what will that mean for me in the long run? I'm afraid I'm going to find out.

Yes, Ashley, you're going to find out here on New Year's Eve.

Jimmy from Crosby, Texas, says:

> I'm fed up with them never agreeing to a budget and spending like there is no tomorrow. This out-of-control action has got to stop.

And, finally, Renee from Crosby, Texas, said:

> Please demand that spending be cut; fraud, waste, and abuse in government spending be addressed before any new taxes be forced upon hardworking Americans.

Mr. Speaker, the American people, they actually do get it—at least those people who work and pay taxes. The backbone of America—the workers of America—say stop the spending obsession.

Mr. Speaker, the problem is spending. We got here by spending too much, not by taxing too little. We're going off the cliff with our pockets full of somebody else's money.

And that's just the way it is.

□ 0910

MIDNIGHT MAGIC

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

Mr. DEFAZIO. All but those in total denial—and there is a lot of that inside the D.C. Beltway—would admit that we need a combination of increased revenues, taxes—the gentleman before me disagrees—and spending cuts to restore fiscal stability. Especially with a still-weak economy, we don't need blanket tax increases that would hit the hard-working families of the middle class, and we don't need brain-dead, across-the-board spending cuts that mete out the same percentage cuts to wasteful and unneeded programs and high-functioning essential programs. We can do better, and the American people deserve better.

In that spirit, I offer the following ideas. Pick one of the numbers floating out there. Let's restore the Clinton-era tax rates on income over $250,000, $400,000, $450,000. They are bargaining out there. Whatever. We are restoring the Clinton-era tax rates. We're not going back to Eisenhower. We're talking about Clinton-era tax rates for income above that level.

Restore the same Clinton-era tax rates on unearned income when there were a lot more productive investments out there, delay the across-the-board cuts for 30 days, give the new Congress a chance to make smarter, targeted cuts of equal value, and fix the Medicare reimbursement so that seniors aren't threatened in the middle of the month from not being able to get medical care, and extend unemployment. Come on, don't be cruel to people who can't find jobs and want to find them, although some on that side deny they're looking for work.

It's not the specifics really that I want to talk about here. It's the procedure. That's what will solve this because this is Washington. It's not about reality.

Now, here it is: the midnight magic plan. We begin debate at 10 p.m. For the first 2 hours, everybody can go to their usual corners. The Republicans could decry the increased taxes on job creators, on income over $250,000 or $400,000 or $450,000. The Republicans could stay true to their pledge to Grover Norquist to never, ever raise taxes for any purpose, never. Democrats could say it's not enough; it doesn't restore tax fairness. We could have the usual debate for 2 hours. At midnight we stop, sing ''Auld Lang Syne,'' come together a little bit, and then the midnight magic.

Now, the same bill is cutting taxes for 98 percent of the working people in the United States of America, the Democrats would have protected Social Security and Medicare, and both sides get a chance over 30 days to legislate—God forbid we should legislate around here—targeted cuts instead of the meat-axe approach to cutting spending. I think that's the best we can do for the American people. We transmogrify this bill with the magic of midnight from one that increases taxes on the job creators—income over $250,000 or $450,000—to one that actually gives tax cuts to 98 percent of America, something both sides can go home and brag about.

No cliff.

THE SGR NEEDS TO BE PATCHED NOW

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

Mr. PRICE of Georgia. Mr. Speaker, in the late 1990s, Congress came up with a new formula to determine how much to pay doctors for taking care of seniors in the Medicare program. It's called the ''sustainable growth rate,'' or the SGR. And like so many Washington solutions, it doesn't work.

Before coming to Congress, I was a doctor. I took care of patients for over 20 years. I remember thinking at the time that the SGR program was put into place, Well, that won't work. It's a house of cards. It's destined to fail.

Mr. Speaker, here we are. America's seniors are on the verge of losing access to health care. Let me repeat that, Mr. Speaker. America's seniors are on the verge of losing access to health care. How? If Congress and President Obama don't act by January 1, tomorrow, Medicare payments to physicians will be reduced, will be cut by nearly 27 percent. You see, Mr. Speaker, the fiscal cliff is more than just the tax increases that President Obama so dearly wants.

The effect of the SGR formula means that physicians who treat Medicare patients will be forced to limit the number of seniors that they see, fewer patients being seen, doctors forced not to see patients because of foolish Washington policy. This jeopardizes health care for millions of folks. The sustainable growth rate, the formula used by Medicare to determine physician reimbursement, needs to be repealed. It doesn't work for patients, and it doesn't work for doctors. It's destructive to the very principles that we hold dear about health care. It violates accessibility, it violates quality, and it limits choices. It harms real people.

There are positive solutions that we're working on so that we may responsibly reform this broken system. But while we work to put in place a system that actually does make sense, we must provide certainty for patients and their doctors for the new year.

Mr. Speaker, slashing payments to doctors is a terrible idea, and it must be stopped. The SGR needs to be patched now so that seniors may continue to see their doctors, and then we

should move forward with real solutions that work for real people, not just for Washington bureaucrats.

The sad thing about our current dysfunction in this town is that people all across this country get harmed. It's not because of something that they did, but because of something that government did to them or forced them to do. It's time to let Americans be Americans, and in health care that means caring for each other and allowing patients and families and doctors to make medical decisions, not Washington.

IN RECOGNITION OF DEDICATED STAFF

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

Mr. ALTMIRE. Mr. Speaker, on this last day of 2012, I want to take a moment to highlight the work of a number of hardworking Federal employees, people who serve with distinction, but often without the credit they deserve. All of us in the House have dedicated staff who, though unheralded, are committed to their country and the constituents they serve. Without them, we could never do our jobs, and I want to thank those who have worked for me over the past 6 years:

Susan and Ed Anfinson, Lin Banks, Mark Perkins, Noel Warren, and the great George Greenfield. They were all shared employees that we shared with other offices. Then we have our full-time employees: Ben Barasky, Olivia Benson, Evan Brennan, Mike Butler, Julie Cain, Richard Carbo, Jennifer Dale, Nick Demicheli, Michelle Dorothy, Serronn Emerson, Jim Ferruchie, Dori Friedberg, Jesse Haladay, Angela Hayden, Kathleen Janoski, Carolyn Kahler, Rachel Kaufman, Erik Komendant, Jennifer Kraus, Chris Lombardi, Cody Lundquist, Greg Malinak, Caitlin Mathis, Stephanie Bone, Tess Mullen, Beth Newman, Bennett Reed, Nathan Robinson, Emily Schmitt, Mariel Schwartz, Abby Silverman, Lee Slater, Shannon Smith, Christina Stacey, P.J. Tabit, Alexandra Taylor, Nikki Tesla, Randy Stapleford and John Galanski—the two best veteran constituent service reps you could ever want—Sharon Werner, Rachael Heisler, and Cara Toman.

Mr. Speaker, all of them were loyal to the district, and I read their names into the RECORD to thank them for their service and loyalty to me, but especially for their service to the district.

□ 0920

FISCAL CLIFF AND BUSH TAX CUT HISTORY

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

Mr. BROOKS. Mr. Speaker, the Bush tax cuts' history illuminates why American families face huge tax increases on January 1. The Bush tax cuts had two purposes. First, stimulate the economy, create jobs, cut unemployment, and cut the deficit. Second, cut taxes to help American families take care of their own needs.

In just 3 years, thanks to the Bush tax cuts, unemployment dropped from a high of 6.3 percent in 2003 to a low of 4.4 percent in 2006; 7 million American jobs were created between 2003 and 2006.

Most importantly and paradoxically to those who do not understand economics, this robust economic growth cut America's deficit 60 percent—from $413 billion in FY 2003–2004 to $161 billion in FY 2006–2007. By every economic measure, the Bush tax cuts were a spectacular success.

The Bush tax cuts, part 1, became law in 2001. Republican Congressmen and Senators voted 258–2—99 percent—to cut taxes and protect family incomes. In contrast, Democrat Congressmen and Senators who now say they are for protecting family incomes voted 184–40—a whopping 81 percent—against American families and for higher taxes.

The Bush tax cuts, part 2, became law in 2003. Republican Congressmen and Senators voted 272–3—that's 99 percent—to cut taxes and protect family incomes. In contrast, Democrat Congressmen and Senators who now say they are for protecting family incomes voted 245–9—an eye-popping 96 percent—against American families and for higher taxes. Unfortunately, Senate Democrats had enough votes to prevent the Bush tax cuts from being permanent. But for these Senate Democrats, America would not be facing a fiscal cliff today.

President Obama and a radically different Congress, controlled by House Speaker NANCY PELOSI and Senate Majority Leader HARRY REID, revisited the Bush tax cuts. In two separate votes in February 2009 and December 2010, Democrats could have increased taxes on the wealthy if they'd really believed what they now say.

Did they raise taxes on the wealthy? No. Why not?

Democrats could have permanently protected lower- and middle-income families from higher taxes if Democrats had really believed what they now say.

Did they? No. Why not?

Mr. Speaker, why would a Democrat Congress and White House say they want to tax the wealthy but not do it?

Why would a Democrat Congress and White House say they want permanent tax relief for lower- and middle-income taxpayers yet not give it?

The answer is simple: Washington Democrats voted twice against tax increases on the wealthy and twice voted against giving permanent tax relief to lower- and middle-income families so that they could run campaigns on base human emotions like greed, envy, and class warfare, and campaign against the very tax policies Democrats kept in place, thus deflecting attention from the Democrats' abysmal record on the economy—trillion-dollar deficits and a $16 trillion national debt.

To their credit, in 2012, their strategy worked. Democrats won the White House and the Senate. Ultimately, however, American voters will learn from history and truth will prevail. Ultimately, the American people will look at their property taxes, income taxes, estate taxes, sales taxes, and every other tax that they are being forced to pay, and they will ask: Who taxes and undermines my ability to take care of my family?

History proves Democrats raise taxes whenever they believe they can get away with it. Conversely, history proves that Republicans protect as many American families as possible from Democrat tax increases.

Mr. Speaker, that is the fight the Republican House fights today. Republicans will fight today and Republicans will fight tomorrow to protect as many American families as possible from the tax increases Democrats passed when they controlled Congress and the White House, and it is that difference, Mr. Speaker, that caused American voters to give Republicans in the 2010 and 2012 elections their largest number of House of Representative victories in more than six decades.

Fighting Democrat tax increases: now that's a mandate.

A TIME OF PERSONAL REFLECTION

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

Mr. CARNAHAN. On this last day of the year and on one of the last days of this 112th Congress, we are awaiting a fiscal deal that will strengthen the fiscal health of this country. I want to take a few moments to reflect on my service here in the House of Representatives and to personally thank many who helped me get here and to do the work of the people whom I represent and love in the State of Missouri.

First, Mr. Speaker, Debra Carnahan, my wife but also an accomplished attorney, a former State and Federal prosecutor. She's really been the rock of our family and has been with me through the great highs and tough lows of this job. So I want to thank her.

Also, our two great sons—Austin and Andrew—who have shared me with thousands of constituents for several years. They have grown into amazing young men, young men who I think will, in their own rights, make a difference as they work their way through their lives.

Mr. Speaker, I want to also thank some of my amazing staff who are too numerous to name—dozens over many years—but there are four in particular who worked with me through the entire 8 years that I served in this Congress: Jeremy Haldeman, who has

staffed the Foreign Affairs Committee for me and the Oversight Subcommittee, and who has also been my chief of staff in the Washington office; Jim McHugh, who has been my district director and longtime friend and colleague in St. Louis; Suzanne Archer, who has been my deputy director; and Kathy Waltz from Sainte Genevieve, Missouri, a former mayor there but an invaluable part of our constituent outreach team. There are many other staff members, but I thank those in particular for their long and loyal service and for the difference they make in so many people's lives.

To the Missourians whom I've had the great honor to represent, I am gratified and humbled beyond belief to have been able to represent them in this U.S. House of Representatives for 8 years and to also have represented many in the State house of representatives for 4 years prior to that. In working with them and for them we've been able to get some great things done on big national issues but also on important local issues back home.

From ribbon cuttings and orange cones and construction signs all across the St. Louis region to investments in our infrastructure, which have created real jobs at home and have helped rebuild our region's roads, bridges, ports, lochs, dams, levees, flood walls, airports, high-speed rail, light rail, and our bus systems, those have made a real difference in people's lives. It was the reason I got on the Transportation Committee in the first place. We had two of the most deadly roads in America in Jefferson County, Missouri, and we got special funding to help rebuild those roads—to not only help their economy but to save lives. Recently, our firefighters were able to obtain a Federal grant for special patrol boats-rescue boats on the Mississippi River, which will serve the region for years to come.

These kinds of investments are important, and I want to urge this new Congress that will be taking over in just a few days to pass a major transportation bill. It's one of the best investments we can make in this country in order to continue to grow this economy.

We've seen after growing out of this Great Recession over the last few years the Recovery Act passed, the auto industry saved, major Wall Street reforms passed, health care reform passed, and stem cell research measures adopted in unprecedented bipartisan ways. I'll never forget the mothers with their young children who were sitting in my office the day that the health care bill was approved. There was not a dry eye in the room because all of their kids had preexisting conditions. Because of the new health care law, that cannot be the case anymore. I was also proud to serve on our House Foreign Affairs Committee and to chair the international organization's committee, so I just want to urge this Congress to take on the needed reforms to make this Congress work better for the American people.

In closing, we recently greeted World War II veterans here at the monument built in their honor. They said that this Congress needed to take on the spirit they had in World War II—to put the country first and to put our differences aside—and that we could achieve great things.

□ 0930

FISCAL CLIFF

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

Mr. DOLD. Mr. Speaker, I want to first start off by thanking my friend from Missouri for his service and working with him on legislation in the past.

Just to pick up on what he said about our World War II heroes, we do need to put the country first. I think that certainly we're here on New Year's Eve and we're upon the fiscal cliff. What we do need to focus on is how do we find that common ground, because what we do know is I believe Democrats and Republicans alike want to put our country on a course to some fiscal discipline—we hope. Is there a course where we can find enough common ground to move it forward so that we don't have a downgrade, so that we don't spike unemployment, so that the markets don't go down.

Mr. Speaker, I'm a small business owner. I employ 100 people. For me, it's 100 families. I meet a budget and a payroll. What they're looking for when I talk to people back home, they're looking for some stability, they're looking for certainty, and what we're doing here is not providing any of those things. And yet I do believe that there is a spirit of comity that we want to find that common ground and move forward.

I'm sorry that we're here on New Year's Eve and that we haven't solved this problem long ago. I will say, Mr. Speaker, that the House did send a bill in August over to the United States Senate. Going back to my time as a small business owner, I can just tell you, if I'd given something to one of the people that I work with, marked it ''urgent'' and put it on their desk months ago and it sat for month after month after month, something would be wrong. Well, in essence, Mr. Speaker, that's exactly what we've done. We sent something over to the United States Senate months ago, marked it ''urgent'' because this is talking about the direction, the fiscal direction of our Nation, and yet nothing is coming back.

Unfortunately, Washington works on brinksmanship. We don't want brinksmanship; we want stability. The world is watching, and we need to focus on the common ground to move things forward. We want to make sure that we can keep tax rates low. We want to make sure that we can bring additional revenue into the Federal Government. I believe that's going to be through growth. That's going to be sparking the American spirit, that entrepreneurial spirit across our country to bring more dollars into the Federal Treasury, to get more people back to work.

The thing that's amazing, Mr. Speaker, is there's a lack of leadership, a lack of leadership here in Washington, D.C., that's palpable. We need to move forward.

During the budget season, those on the other side of the aisle, myself, some of my colleagues on my side of the aisle, put forth a budget, the first bipartisan budget in a generation, based upon the Simpson-Bowles plan, talking about the need to bring additional revenue in, talking about the need to put spending cuts out there because Washington has this sense of spending, Mr. Speaker. Republicans have overspent; Democrats have overspent. I'm not here to point the finger. What I am looking for is a solution to the problems we face. My hope is that we can get those done today. The American people demand it, the American people need it, and the world is looking to America for leadership.

Mr. Speaker, on a different note, I want to rise today to recognize an extraordinary lady, a great American, one who raised four children and instilled in them a love of family and country, taught those around her the idea that your integrity determines your identity. In fact, she gave me that plaque, and it hangs in my room today.

I want to say it again, Mr. Speaker, because I think it is so very, very important: Your integrity determines your identity.

She also instilled a fantastic work ethic in those around her. A teacher, first of special needs children, then in English as a high school English teacher for a number of years, she left the teaching profession to have a family and then became an entrepreneur. She went into the private sector, helped people get jobs, put food on the table for families, and helped those families get an education.

Mr. Speaker, this great American lady celebrates a birthday today. I'm sorry that I'm not with her, but I am in spirit. Happy birthday, Mom.

BELARUS

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

Mr. SHIMKUS. Mr. Speaker, it's good to come down for morning-hour, especially today, to hear my colleagues come down and thank staff and people who've been important in their lives, especially in their careers. JASON ALTMIRE, what a great job he did thanking his staff. My friend, RUSS CARNAHAN from across the Mississippi River, thanking family, wife, sons, and staff. For the work we do here, too frequently, many go unappreciated.

But, Mr. Speaker, I did break the code on why we're here so late today. I know a lot of people want to know. We can blame Jay Pierson for that. Jay is retiring today. This is his last day, and we wanted to make sure that we got the last ounce of flesh and blood from him. So if the American people want to know why we're here, it's Jay Pierson's fault.

Jay Pierson is Speaker BOEHNER's floor assistant. He obviously carries around a copy of Jefferson's Manual. He has been a servant of the House of Representatives for 34 years. He's a truly dedicated public servant. I thank him for his friendship and his support to this body and especially to me personally.

Mr. Speaker, I also wanted to take time out, as I do, to speak about democratic movements around the world, especially in the former captive nations of Eastern Europe, and remember those who are jailed just because they want political freedoms and liberties.

Two years ago after the brutal and bloody crackdown on peaceful demonstrations after the 2010 presidential elections, the human rights of ordinary Belarusian citizens continue to be violated by the Lukashenko government. One candidate who ran against Lukashenko during that election, Nikolai Statkevich, remains in jail. The other jailed candidate, Andrei Sannikov, was pardoned earlier this year and is in exile in Britain. Ales Byalyatski, the head of Viasna Human Rights Center, also remains imprisoned after being convicted to a 4½-year jail sentence for trumped-up charges of tax evasion. These are two of 12 political prisoners who today remain behind bars under deplorable prison conditions in Belarus.

The general human rights situation in Belarus has not improved since the events of 2010, despite international condemnation and sanctions on the regime. In its 2012 report, Freedom House ranked Belarus as ''not free'' in the categories of civil liberties and political rights, and Belarus ranked 193 out of 197 countries on Freedom House's 2012 press freedom index. The Reporters Without Borders press freedom index ranks Belarus 168 out of 179 countries.

Laws have passed that regulate demonstrations and political information, stifling freedom of assembly. Independent journalists and political activists are under a constant threat of intimidation and arbitrary detention.

Belarus held parliamentary elections on September 23, 2012. Unsurprisingly, the elections failed to meet international standards and were widely condemned as not free or fair. While some democratic opposition parties boycotted the elections, the candidates who did attempt to run were denied registration by election authorities, intimidated, and given unfair access to media resources. No opposition figures were elected to the 110-seat legislature. Official turnout was reported as 74.3 percent, although observers claim the turnout was closer to 30 percent of eligible voters.

Belarus remains mired in its worst financial crisis since independence, which has put Lukashenko under increasing pressure. In the past month, he has reshuffled several top figures in his government and made some controversial economic decisions that have been met with criticism in the international community. This includes signing a presidential decree making it illegal for workers in Belarus' wood processing industry to quit their jobs, and announcing that Belarus would begin shifting its exporting business from ports in the Baltic to Russian ports. This will only strain the relationship between Belarus and its democratic neighbors and increase Russia's stronghold on key Belarusian markets.

□ 0940

Belarus already depends on Russia for nearly all its energy supplies. The United States and the European Union must remain united, impose economic sanctions, and have a single plan for action regarding the promotion of democratic process in Belarus.

So again, Mr. Speaker, I appreciate this time coming down, and I wish everybody a Happy New Year.

FAREWELL TO THE UNITED STATES HOUSE OF REPRESENTATIVES

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

Mr. SCOTT of South Carolina. Mr. Speaker, I rise today to say farewell to the House.

I first want to say thank you to the wonderful people of the South Carolina coast. From Myrtle Beach to my hometown of North Charleston to Hilton Head, your support over the last 3 years has truly humbled me and inspired me.

I also want to thank my friends, my colleagues, and the members of the South Carolina delegation: Mr. CLYBURN, Mr. WILSON, Mr. DUNCAN, Mr. GOWDY, and Mr. MULVANEY. We have a great group who truly understands we are here to represent the great State of South Carolina and the citizens of America, and I thank them all for their friendship.

Finally, I'd like to thank all of my colleagues here in the House. We may not always agree on things, but we are here for a reason: to try and make this Nation better.

As I prepare to move to the United States Senate, it is that belief that makes me incredibly optimistic about our future. The battles of today will, in the future, be seen as a positive turning point for our Nation, where we got our fiscal house back in order and revitalized the American Dream for our children and our grandchildren.

I look forward to continuing to serve the residents of South Carolina, some of the most passionate people in the Nation. And I will never forget my time here in the people's House, where we worked every single day to build a brighter future for our Nation.

Thank you.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 41 minutes a.m.), the House stood in recess.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 10 a.m.

PRAYER

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

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

On this last day of 2012, forget not Your people. There are many differences plaguing our Nation's discourse. Please send wisdom upon the leaders serving in government and goodwill among all the principals in current negotiations.

We thank You for the service of so many who work every day in this building, whose labor provides the lubrication for the very public actions of the Members of this assembly. Though each deserves special mention, bless especially this day Jay Pierson, who works his last day of 34 years of faithful service on the floor of the House.

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 her approval thereof.

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

PLEDGE OF ALLEGIANCE

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

Mr. HIGGINS led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests

for 1-minute speeches on each side of the aisle.

BIG SPENDING LEADS TO FISCAL CLIFF

(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. Madam Speaker, at midnight tonight, our Nation is scheduled to fall off the fiscal cliff, because the Augusta Chronicle editorial of December 2 is correct:

> It's that stubborn adherence to big spending that's powering the momentum toward the fiscal cliff. And halting big spending is what's going to stop it.

Over the past year, House Republicans have passed effective bipartisan legislation to prevent the entire fiscal cliff. Unfortunately, these bills remain stalled in the Senate graveyard. This fact makes it very clear that House Republicans have addressed this issue, and Speaker JOHN BOEHNER is holding firm for fiscal responsibility.

With only a few hours to go, it's my hope the Senate will accept one of the House proposals and send legislation back to the House, which will attempt to tackle Washington's out-of-control spending, extend tax cuts for all Americans, and prevent the devastating defense budget cuts before it is too late and hundreds of thousands of jobs are destroyed.

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

Congratulations, Jay Pierson, for your years of service.

GOVERNMENT OF THE PEOPLE

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

Mr. KUCINICH. The question settling over this Capitol as we face the fiscal cliff is: How can this be happening? It's hyperpartisanship meets Citizens United. America's politics are so saturated with money and so politically polarized that the system cannot function to meet its obligations to keep the government running. But make no mistake about it—government does work. It's working for Pentagon contractors, for arms manufacturers, for oil companies, for coal companies. It's working for those who want to hold down wages and suppress the rights of workers. It's working for drug companies whose sweetheart deal on prescription drugs blew a hole in the Medicare budget.

The apparent dysfunctionality of government masks the reality that the tax resources of government increasingly are going to the highest bidders in a $4 billion national election. The debris at the bottom of the fiscal cliff will be the wrecked hopes of doctors and Medicare patients, unemployed workers who can't protect their families, and middle class taxpayers who just can't pay any more. Our Nation's pose at the fiscal cliff is proof of the necessity of a constitutional amendment, H.J. Res. 100, to rid this Nation of the corrupting influence of special interest money with public financing, which recreates a true government of the people.

FACTS THE AMERICAN PEOPLE DESERVE ABOUT THE FISCAL CLIFF

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

Mr. OLSON. Madam Speaker, I want to give the American people seven facts about our fiscal crisis.

Fact number one: we have a $16 trillion national debt that's expected to go up to over $22 trillion before President Obama leaves office.

Fact number two: Washington's problem is not revenue. It's uncontrolled spending.

Fact number three: in less than 14 hours, automatic tax hikes will give Washington more money to spend.

Fact number four: the nonpartisan Congressional Budget Office says these automatic tax hikes threaten to put us back into another recession.

Fact number five: the House has done its job to avoid this crisis by passing a bipartisan bill to stop the tax hikes.

Fact number six: the Senate, with the President's approval, has refused to take up this bill.

Fact number seven: we've done our job in the House. It's time for the Senate to do their job before the clock strikes midnight.

REAL EFFECTS OF GOING OVER THE FISCAL CLIFF

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

Mr. HIGGINS. Madam Speaker, at midnight tonight, the Budget Control Act of 2011 and sequestration will trigger spending cuts of $1.2 trillion over 10 years, including $109 billion in 2013. We'll have 8.2 percent, or $54 billion, in domestic spending cuts funding to the National Cancer Institute that supports clinical trials for new cancer treatments. If you're a patient at Roswell Park Cancer Institute in Buffalo and you're diagnosed with late-stage cancer, you don't have the luxury of time that these cuts demand. That's what sequestration means to cancer patients in Buffalo and throughout the Nation.

We'll have 9.4 percent, or $55 billion, cut in defense spending. What does it mean to my community of Buffalo and western New York? MOOG, a world leader in motion control technology with a thriving defense unit, a $2.5 billion company that employs 8,400 people, takes a major hit. That's what sequestration means to the defense industry in Buffalo and throughout the Nation.

Madam Speaker, sequestration cannot be viewed in the abstractions of Washington and this institution. Its real consequences will be felt hard by real people in real communities throughout this Nation, including in Buffalo and western New York.

PASS A COMPREHENSIVE PLAN TO AVERT THE FISCAL CLIFF

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

Mr. CICILLINE. Madam Speaker, the 112th Congress has been defined as the least productive Congress in recent memory. And now we run the risk of being the Congress whose action will cause real harm to our country's economic future. The American people have consistently said they want Republicans and Democrats to act like adults and work together on the challenges we face. And yet here we are again, facing a critical financial deadline with no agreement in place to avert the so-called fiscal cliff and to protect seniors, middle class families, and business owners while we reduce our debt. There's just too much at stake right now for this Congress to keep playing the games of brinksmanship and partisan politics.

Over the last 10 years, as I've met with Rhode Islanders from Woonsocket to Newport and everywhere in between, I've heard one clear message: now is the time for those of us who serve in this Chamber to get this hard work done on behalf of the men and women who sent us here. I encourage my colleagues on both sides of the aisle to spend less time assigning blame to each other and instead pass a comprehensive plan that averts the fiscal cliff, cuts our debt, and protects middle class families, seniors, and small business owners.

PUT DOWN THOSE GUNS

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

Ms. WILSON of Florida. Today is New Year's Eve. While we debate going over the fiscal cliff at midnight, there are people somewhere in America planning to shoot their guns in celebration at midnight. Put down those guns. Millions of people have died or been injured due to this dangerous celebratory custom. Put down those guns.

If I were in my district of Miami today, I would be participating in a press conference that we started 10 years ago, calling an end to this deadly custom. As a result, celebratory gunfire has largely disappeared from our county. It is a result of repeated demands and media events over and over again. Now people get it. Remember, what goes up must come down. Bullets are no exception. Instead, hug your kids. Light a candle. Resolve to sell your gun in the next community gun buy-back initiative. Say a prayer for

all of the precious children who have lost their lives to gun violence in our Nation, especially those babies we lost most recently in Connecticut.

Put down those guns. Don't even think about it. Because one bullet—just one bullet—will kill the party. Please, America, put down those guns.

□ 1010

WORK TOGETHER FOR A HAPPY NEW YEAR

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

Mrs. CHRISTENSEN. It will be very hard to wish the American people happy New Year unless this Congress reaches and passes an agreement that keeps taxes from going up on the 98 percent who have already had to sacrifice during the recession, that extends unemployment, enables doctors to continue to care for their Medicare beneficiaries, fixes the AMT, provides disaster recovery money to help our fellow Americans, and passes the farm bill.

Democrats agreed last year to $1.5 trillion in cuts over the next 10 years, which are already in place. President Obama offered several concessions. Now Republicans need to give up at least an equal amount on the revenue side.

And right now—but definitely early in 2013—my constituents in the Virgin Islands need relief from the highest energy costs in the country and a fair Medicaid match so that everyone can have access to quality health care.

Whatever partisan differences we have and the Republicans have with our President, let's set them aside as this difficult year comes to a close and work together to give our constituents a happy New Year.

AVOIDING THE FISCAL CLIFF

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

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to implore the House GOP leadership to address the looming fiscal cliff. We have only a few hours left, and we owe it to the American people to find a solution, pass legislation, and send it to the President for his signature tonight.

There is too much at stake to let this critical situation devolve into the same politics as usual that we have seen throughout this Congress. The consequences of failure or inaction are dire. According to the Congressional Budget Office, going over the cliff would raise the unemployment rate from 7.9 to 9.1 percent in 2013. We would also see devastating cuts to programs that pay for education, food inspection, and air travel safety, nearing $55 billion.

Madam Speaker, there is no more time, and the American people are depending on us for a solution to avoid this fiscal cliff.

SENATE NEEDS TO GET TO WORK

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

Mr. SCALISE. Madam Speaker, here we are on New Year's Eve working to avoid this latest fiscal cliff. Of course, if you wonder why we're here, just look at the fact that we shouldn't have to be here.

Back on August 1, this House, with a bipartisan vote, passed a bill that would have avoided this fiscal cliff. It would have protected every American family from seeing a tax increase. The bill passed on August 1, and it's been sitting over in the Senate every day since then. But here we are on New Year's Eve, and the Senate is finally rolling up their sleeves and working to avoid this crisis.

Well, here we are at another crisis, and, unfortunately, as we look towards this New Year tomorrow, this is not the last time that we may be here. We passed a budget here in the House months ago. It's been more than 3 years since the Senate passed a budget, yet months from now we'll be hearing another cliff approaching of a government shutdown because the Senate hasn't passed a budget.

It's time for the Senate to start doing their work and stop creating these crises and forcing American families to wonder what's going to happen next and what's going to be the next crisis. We should not have any American family facing a tax increase. Let's get the American economy on track.

FISCAL CLIFF DEADLINE

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

Mr. YARMUTH. Madam Speaker, the American people are looking at Congress with disdain—and rightfully so. With the deadline on the fiscal cliff only hours away, we have failed to reach a reasonable compromise to move the economy forward and ward off painful tax hikes on the middle class.

The majority of Americans have sent us a clear message of what they want—a fair tax system, an economy that works for everyone, and a strong social safety net. These are classic American values, and throughout our history Members of both parties have made compromises in order to protect them. Those compromises reflect not just the will of the people but the way normal people do business.

Every day of their lives American workers solve problems and collaborate with their coworkers to meet objectives. They don't get to wait until after the deadline passes to get the job done; if they do, they lose their jobs. The American people can't just go home if they don't get their way. And yet that's exactly what House Republican leadership did earlier this month. I hope it's not what they plan to do again this week.

Madam Speaker, if my colleagues don't wake up and respond to what the American people want, they will be the ones to ultimately lose their jobs—and rightfully so.

FISCAL CLIFF

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

Ms. HANABUSA. Madam Speaker, when Chairman Bernanke first coined the phrase the ''fiscal cliff,'' he was really describing the perfect storm. The fiscal cliff is not only sequestration, the impact of the Budget Control Act, but also includes and is not limited to the expiration of the Bush tax cuts, unemployment insurance, the SGR, the AMT patch, the debt limit, other tax provisions. Ergo the perfect storm—major issues that this Republican-controlled House will not address until the wealthy are protected.

We must address a sufficient number of these provisions to avert the perfect storm. To do so, we must look to the building of public confidence so that we can continue steady growth in the economy and jobs, the true way to avert the cliff. This is why we must do what is best for the middle and working class first: extend the Bush taxes for the middle class, extend unemployment insurance, SGR, the AMT patch, delay the sequestration—those items which we can all agree upon. We've got to get to work.

IMPENDING FISCAL CLIFF

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

Mr. TONKO. Madam Speaker, well, here we are on the last day of calendar year 2012 with an impending fiscal cliff challenging all of us.

The women and men who serve in this great body assemble and express great differences, but those differences ought not divide us; they should build us with the best consensus.

We need a bold and balanced approach to this fiscal cliff. We need to make certain that the 33 consecutive months of private sector job growth are not disrupted. We need to make certain that the unemployment rate does not rise as the CBO, the Congressional Budget Office, suggests, to 9.1 percent. We need to avoid taxes growing by $2,200 for an average family of four in 2013. That's what's impending here. It is important for us to go forward and take the initiative and avoid the consequences of that fiscal cliff.

I'm concerned because FEMA, as an example, would be cut by some $878 million. Having witnessed the destruction in my district, we can ill-afford that. Cuts to nutrition programs, cuts

to Medicare. I implore our leadership in this House, bring a bold and balanced approach to solve our fiscal cliff crisis here today.

DROPPING THE BALL

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

Ms. HAHN. Madam Speaker, tonight in Times Square hundreds of thousands of people will be there at midnight to watch that ball drop, but here in Congress, we've also dropped the ball.

We're in the final days of the 112th Congress. No one expected us to be here on the House floor on New Year's Eve, but here we are racing towards that fiscal cliff—towards higher taxes on the middle class and slashed investment for the American people, including nutrition for mothers and infants, education for our children, and our infrastructure.

What part of the cliff sounds like a good plan? I know I'm not the only one who has spent time with families that it will hurt. I know I'm not the only one who has visited the businesses that are worried that our country could have another recession. We should not be playing this game of chicken.

There's too much at stake to have politics as usual. We have an opportunity to prevent the fiscal cliff, but in order to do so we must act as a unified Congress.

So I say to all my friends and colleagues, Democrats and Republicans, let's get this thing done. Tonight, when that ball drops, let's make sure that we haven't also dropped the ball.

□ 1020

PASS THE SENATE SUPPLEMENTAL

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, it has now been 9 weeks since Superstorm Sandy swept across the east coast. Twenty-four U.S. States were in some way affected by Sandy. The storm killed at least 131 people in eight States. Hundreds of thousands of homes and businesses were damaged or destroyed. The unprecedented disaster caused billions of dollars in loss and economic disruption.

Just 2 weeks after Hurricane Katrina hit the gulf coast, this Congress approved more than $62 billion in Federal aid to help the devastated area get back on its feet. After Hurricanes Ike and Gustav hit in 2008, a supplemental appropriations bill passed this Congress overwhelmingly. All of these aid packages were approved by strong bipartisan majorities in both Chambers.

The needs were obvious and the speed imperative. We need to pass the Senate supplemental. Nothing has changed. That is what we did for others. That's what we need to do to help this devastated area.

HELP FOR HOMEOWNERS

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

Ms. KAPTUR. Madam Speaker, my hope is that tonight we will do what is right for the Republic and pass a responsible measure dealing with spending and our debt. But there's another cliff tonight at midnight that should concern the millions of homeowners who have forgone their mortgage foreclosure reviews. They have a deadline of midnight tonight as reported by USA Today yesterday on the front page of the business section. It's important to millions of Americans who literally could receive up to $100,000 in compensation because of mistakes that were made by servicers in the processing of those loans.

So, I would like to tell people who might have had foreclosures facing their families in 2009 and 2010, they can call 888–952–9105 or go to the Web site IndependentForeclosureReview.com.

The Office of Comptroller of the Currency will help them review those mortgage foreclosures. Far too many Americans, millions, 4 million to be exact, have received these notices, but only a little over 300,000 have replied. Millions of people could have those mortgages reviewed and perhaps receive compensation and hang onto their houses.

Again, that phone number is 888–952–9105. Let's help the millions of Americans who have been harmed with their mortgages by irresponsible servicers.

FISCAL CLIFF

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

Mr. CONNOLLY of Virginia. Madam Speaker, the start of a new year is supposed to be a joyous occasion. It is time to reflect on the past year, to take pride in our accomplishments and learn from our stumbles. There's a novel thought.

Similarly, the start of a new Congress offers us an opportunity to look forward with hope and aspiration for the opportunity to work together—again, a novel thought—to deliver on behalf of those who have put their trust in us.

Let's not pull the rug out from underneath both of those things before they've even had a chance to begin. The start of the new year and the new Congress do not have to be colored by the partisanship that's characterized the past year. There is a last-minute absolution to be had if we can seize the spirit of the season and do that which we have done all too little of this past year: compromise, come together.

Let's ring in the new year with a fix, albeit a modest one, of the fiscal cliff and start off our new year and new Congress with a proper welcome for our constituents and our colleagues.

FISCAL CLIFF

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

Mr. ELLISON. Madam Speaker, many years ago our friends on the conservative side of the political aisle told us that if we cut taxes for the wealthiest among us, what would happen is that they would get more money which they would use to invest in plant and equipment, and then all the rest of us working class and middle class folks would benefit by rich people having more money because then they would hire us and we'd have a stronger economy. They put this plan into implementation in 2001 and into 2003, and what followed was the most anemic decade of job growth that we have seen in many, many, many decades. If you can contrast it with the 1990s when the tax rates were actually higher, we had a much more robust economy. In fact, when President Clinton handed President Bush the reins to the government, he handed him, also, a surplus.

The fact is the conservative experiment based on the ideas of a guy named Arthur Laffer and others has failed. They don't work. They're wrong for this country. It's time for us to have some balance and to pay the bills of this country, and that means taxes.

CONGRESS MUST WORK TOGETHER TO AVOID FALLING OFF THE FISCAL CLIFF

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

Mr. PALLONE. Madam Speaker, if we fail to act on the remaining day of the 112th Congress, this Congress will be remembered as one which ignored the will of the people. If we fail to act, a typical middle class family of four would see its taxes rise by $2,200 starting in 2013. This means less money to buy groceries, gas and pay the bills.

According to the nonpartisan Congressional Budget Office, going over the cliff would raise the unemployment rate from 7.9 percent to 9.1 percent in 2013. Losing that many jobs would plunge our Nation back into a recession and put an economic recovery even further out of reach. We would be putting jobs on the altar for tax cuts for the wealthiest Americans who have already seen their tax rate plummet to historic lows.

It's time that we put an end to the era of trying to balance budgets on the backs of the middle class, and it's time that we take steps to avoid setting our economic recovery up for failure. We all want a better resolution than simply jumping off the fiscal cliff.

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.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. ROGERS of Michigan. Madam Speaker, I move to suspend the rules and pass the bill (S. 3454) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3454

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2013''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Non-reimbursable details.
Sec. 304. Automated insider threat detection program.
Sec. 305. Software licensing.
Sec. 306. Strategy for security clearance reciprocity.
Sec. 307. Improper Payments Elimination and Recovery Act of 2010 compliance.
Sec. 308. Subcontractor notification process.
Sec. 309. Modification of reporting schedule.
Sec. 310. Repeal of certain reporting requirements.

TITLE IV—MATTERS RELATING TO THE CENTRAL INTELLIGENCE AGENCY

Sec. 401. Working capital fund amendments.

TITLE V—OTHER MATTERS

Sec. 501. Homeland Security Intelligence Program.
Sec. 502. Extension of National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.
Sec. 503. Protecting the information technology supply chain of the United States.
Sec. 504. Notification regarding the authorized public disclosure of national intelligence.
Sec. 505. Technical amendments related to the Office of the Director of National Intelligence.
Sec. 506. Technical amendment for definition of intelligence agency.
Sec. 507. Budgetary effects.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2013, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill S. 3454 of the One Hundred Twelfth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY TO COMMITTEES OF CONGRESS.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 415c);

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize the employment of civilian personnel in excess of the number of positions for fiscal year 2013 authorized by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such section for such element.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to the initial exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2013 the sum of $540,721,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2014.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 835 positions as of September 30, 2013. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2013 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2014.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2013, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement

and Disability Fund for fiscal year 2013 the sum of $514,000,000.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. NON-REIMBURSABLE DETAILS.

Section 113A of the National Security Act of 1947 (50 U.S.C. 404h–1) is amended—

(1) by striking ''two years.'' and inserting ''three years.''; and

(2) by adding at the end ''A non-reimbursable detail made under this section shall not be considered an augmentation of the appropriations of the receiving element of the intelligence community.''.

SEC. 304. AUTOMATED INSIDER THREAT DETECTION PROGRAM.

Section 402 of the Intelligence Authorization Act for Fiscal Year 2011 (Public Law 112–18; 50 U.S.C. 403–1 note) is amended—

(1) in subsection (a), by striking ''October 1, 2012,'' and inserting ''October 1, 2013,''; and

(2) in subsection (b), by striking ''October 1, 2013,'' and inserting ''October 1, 2014,''.

SEC. 305. SOFTWARE LICENSING.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, each chief information officer for an element of the intelligence community, in consultation with the Chief Information Officer of the Intelligence Community, shall—

(1) conduct an inventory of software licenses held by such element, including utilized and unutilized licenses; and

(2) report the results of such inventory to the Chief Information Officer of the Intelligence Community.

(b) REPORTING TO CONGRESS.—The Chief Information Officer of the Intelligence Community shall—

(1) not later than 180 days after the date of the enactment of this Act, provide to the congressional intelligence committees a copy of each report received by the Chief Information Officer under subsection (a)(2), along with any comments the Chief Information Officer wishes to provide; and

(2) transmit any portion of a report submitted under paragraph (1) involving a component of a department of the United States Government to the committees of the Senate and of the House of Representatives with jurisdiction over such department simultaneously with submission of such report to the congressional intelligence committees.

SEC. 306. STRATEGY FOR SECURITY CLEARANCE RECIPROCITY.

(a) STRATEGY.—The President shall develop a strategy and a schedule for carrying out the requirements of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b(d)). Such strategy and schedule shall include—

(1) a process for accomplishing the reciprocity required under such section for a security clearance issued by a department or agency of the Federal Government, including reciprocity for security clearances that are issued to both persons who are and who are not employees of the Federal Government; and

(2) a description of the specific circumstances under which a department or agency of the Federal Government may not recognize a security clearance issued by another department or agency of the Federal Government.

(b) CONGRESSIONAL NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the President shall inform Congress of the strategy and schedule developed under subsection (a).

SEC. 307. IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT OF 2010 COMPLIANCE.

(a) PLAN FOR COMPLIANCE.—

(1) IN GENERAL.—The Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall each develop a corrective action plan, with major milestones, that delineates how the Office of the Director of National Intelligence and each such Agency will achieve compliance, not later than September 30, 2013, with the Improper Payments Elimination and Recovery Act of 2010 (Public Law 111–204; 124 Stat. 2224), and the amendments made by that Act.

(2) SUBMISSION TO CONGRESS.—Not later than 45 days after the date of the enactment of this Act—

(A) each Director referred to in paragraph (1) shall submit to the congressional intelligence committees the corrective action plan required by such paragraph; and

(B) the Director of the Defense Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the corrective action plan required by paragraph (1) with respect to the applicable Agency.

(b) REVIEW BY INSPECTORS GENERAL.—

(1) IN GENERAL.—Not later than 45 days after the completion of a corrective action plan required by subsection (a)(1), the Inspector General of each Agency required to develop such a plan, and in the case of the Director of National Intelligence, the Inspector General of the Intelligence Community, shall provide to the congressional intelligence committees an assessment of such plan that includes—

(A) the assessment of the Inspector General of whether such Agency or Office is or is not likely to reach compliance with the requirements of the Improper Payments Elimination and Recovery Act of 2010 (Public Law 111–204; 124 Stat. 2224), and the amendments made by that Act, by September 30, 2013; and

(B) the basis of the Inspector General for such assessment.

(2) ADDITIONAL SUBMISSION OF REVIEWS OF CERTAIN INSPECTORS GENERAL.—Not later than 45 days after the completion of a corrective action plan required by subsection (a)(1), the Inspector General of the Defense Intelligence Agency, the Inspector General of the National Geospatial-Intelligence Agency, and the Inspector General of the National Security Agency shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the assessment of the applicable plan provided to the congressional intelligence committees under paragraph (1).

SEC. 308. SUBCONTRACTOR NOTIFICATION PROCESS.

Not later than October 1, 2013, the Director of National Intelligence shall submit to the congressional intelligence committees a report assessing the method by which contractors at any tier under a contract entered into with an element of the intelligence community are granted security clearances and notified of classified contracting opportunities within the Federal Government and recommendations for the improvement of such method. Such report shall include—

(1) an assessment of the current method by which contractors at any tier under a contract entered into with an element of the intelligence community are notified of classified contracting opportunities;

(2) an assessment of any problems that may reduce the overall effectiveness of the ability of the intelligence community to identify appropriate contractors at any tier under such a contract;

(3) an assessment of the role the existing security clearance process has in enhancing or hindering the ability of the intelligence community to notify such contractors of contracting opportunities;

(4) an assessment of the role the current security clearance process has in enhancing or hindering the ability of contractors at any tier under a contract entered into with an element of the intelligence community to execute classified contracts;

(5) a description of the method used by the Director of National Intelligence for assessing the effectiveness of the notification process of the intelligence community to produce a talented pool of subcontractors;

(6) a description of appropriate goals, schedules, milestones, or metrics used to measure the effectiveness of such notification process; and

(7) recommendations for improving such notification process.

SEC. 309. MODIFICATION OF REPORTING SCHEDULE.

(a) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.—Section 103H(k)(1)(A) of the National Security Act of 1947 (50 U.S.C. 403–3h(k)(1)(A)) is amended—

(1) by striking ''January 31 and July 31'' and inserting ''October 31 and April 30''; and

(2) by striking ''December 31 (of the preceding year) and June 30,'' and inserting ''September 30 and March 31,''.

(b) INSPECTOR GENERAL FOR THE CENTRAL INTELLIGENCE AGENCY.—

(1) IN GENERAL.—Section 17(d)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q(d)(1)) is amended—

(A) by striking ''January 31 and July 31'' and inserting ''October 31 and April 30'';

(B) by striking ''December 31 (of the preceding year) and June 30,'' and inserting ''September 30 and March 31,''; and

(C) by striking ''Not later than the dates each year provided for the transmittal of such reports in section 507 of the National Security Act of 1947,'' and inserting ''Not later than 30 days after the date of the receipt of such reports,''.

(2) CONFORMING AMENDMENTS.—Section 507(b) of the National Security Act of 1947 (50 U.S.C. 415b(b)) is amended—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2), (3), and (4), as paragraphs (1), (2), and (3), respectively.

SEC. 310. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) REPEAL OF REPORTING REQUIREMENTS.—

(1) ACQUISITION OF TECHNOLOGY RELATING TO WEAPONS OF MASS DESTRUCTION AND ADVANCED CONVENTIONAL MUNITIONS.—Section 721 of the Intelligence Authorization Act for Fiscal Year 1997 (50 U.S.C. 2366) is repealed.

(2) SAFETY AND SECURITY OF RUSSIAN NUCLEAR FACILITIES AND NUCLEAR MILITARY FORCES.—Section 114 of the National Security Act of 1947 (50 U.S.C. 404i) is amended—

(A) by striking subsections (a) and (d); and

(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(3) INTELLIGENCE COMMUNITY BUSINESS SYSTEMS BUDGET INFORMATION.—Section 506D of the National Security Act of 1947 (50 U.S.C. 415a–6) is amended by striking subsection (e).

(4) MEASURES TO PROTECT THE IDENTITIES OF COVERT AGENTS.—Title VI of the National Security Act of 1947 (50 U.S.C. 421 et seq.) is amended—

(A) by striking section 603; and

(B) by redesignating sections 604, 605, and 606 as sections 603, 604, and 605, respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPORT SUBMISSION DATES.—Section 507 of the National Security Act of 1947 (50 U.S.C. 415b) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking subparagraphs (A), (C), and (D);

(II) by redesignating subparagraphs (B), (E), (F), (G), (H), and (I) as subparagraphs (A), (B), (C), (D), (E), and (F), respectively; and

(III) in subparagraph (D), as so redesignated, by striking ''section 114(c).'' and inserting ''section 114(a).''; and

(ii) by amending paragraph (2) to read as follows:

''(2) The date for the submittal to the congressional intelligence committees of the annual report on the threat of attack on the United States from weapons of mass destruction required by section 114(b) shall be the date each year provided in subsection (c)(1)(B).'';

(B) in subsection (c)(1)(B), by striking ''each'' and inserting ''the''; and

(C) in subsection (d)(1)(B), by striking ''an'' and inserting ''the''.

(2) TABLE OF CONTENTS OF THE NATIONAL SECURITY ACT OF 1947.—The table of contents in the first section of the National Security Act of 1947 is amended by striking the items relating to sections 603, 604, 605, and 606 and inserting the following new items:

''Sec. 603. Extraterritorial jurisdiction.
''Sec. 604. Providing information to Congress.
''Sec. 605. Definitions.''.

TITLE IV—MATTERS RELATING TO THE CENTRAL INTELLIGENCE AGENCY

SEC. 401. WORKING CAPITAL FUND AMENDMENTS.

Section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u) is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking ''program.'' and inserting ''program; and''; and

(iii) by adding at the end the following:

''(D) authorize such providers to make known their services to the entities specified in section (a) through Government communication channels.''; and

(B) by adding at the end the following:

''(3) The authority in paragraph (1)(D) does not include the authority to distribute gifts or promotional items.''; and

(2) in subsection (c)—

(A) in paragraph (2)(E), by striking ''from the sale or exchange of equipment or property of a central service provider'' and inserting ''from the sale or exchange of equipment, recyclable materials, or property of a central service provider.''; and

(B) in paragraph (3)(B), by striking ''subsection (f)(2)'' and inserting ''subsections (b)(1)(D) and (f)(2)''.

TITLE V—OTHER MATTERS

SEC. 501. HOMELAND SECURITY INTELLIGENCE PROGRAM.

There is established within the Department of Homeland Security a Homeland Security Intelligence Program. The Homeland Security Intelligence Program constitutes the intelligence activities of the Office of Intelligence and Analysis of the Department that serve predominantly departmental missions.

SEC. 502. EXTENSION OF NATIONAL COMMISSION FOR THE REVIEW OF THE RESEARCH AND DEVELOPMENT PROGRAMS OF THE UNITED STATES INTELLIGENCE COMMUNITY.

Section 1007(a) of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 50 U.S.C. 401 note) is amended by striking ''Not later than one year after the date on which all members of the Commission are appointed pursuant to section 701(a)(3) of the Intelligence Authorization Act for Fiscal Year 2010,'' and inserting ''Not later than March 31, 2013,''.

SEC. 503. PROTECTING THE INFORMATION TECHNOLOGY SUPPLY CHAIN OF THE UNITED STATES.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report that—

(1) identifies foreign suppliers of information technology (including equipment, software, and services) that are linked directly or indirectly to a foreign government, including—

(A) by ties to the military forces of a foreign government;

(B) by ties to the intelligence services of a foreign government; or

(C) by being the beneficiaries of significant low interest or no interest loans, loan forgiveness, or other support by a foreign government; and

(2) assesses the vulnerability to malicious activity, including cyber crime or espionage, of the telecommunications networks of the United States due to the presence of technology produced by suppliers identified under paragraph (1).

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) TELECOMMUNICATIONS NETWORKS OF THE UNITED STATES DEFINED.—In this section, the term ''telecommunications networks of the United States'' includes—

(1) telephone systems;

(2) Internet systems;

(3) fiber optic lines, including cable landings;

(4) computer networks; and

(5) smart grid technology under development by the Department of Energy.

SEC. 504. NOTIFICATION REGARDING THE AUTHORIZED PUBLIC DISCLOSURE OF NATIONAL INTELLIGENCE.

(a) NOTIFICATION.—In the event of an authorized disclosure of national intelligence or intelligence related to national security to the persons or entities described in subsection (b), the government official responsible for authorizing the disclosure shall submit to the congressional intelligence committees on a timely basis a notification of the disclosure if—

(1) at the time of the disclosure—

(A) such intelligence is classified; or

(B) is declassified for the purpose of the disclosure; and

(2) the disclosure will be made by an officer, employee, or contractor of the Executive branch.

(b) PERSONS OR ENTITIES DESCRIBED.—The persons or entities described in this subsection are as follows:

(1) Media personnel.

(2) Any person or entity, if the disclosure described in subsection (a) is made with the intent or knowledge that such information will be made publicly available.

(c) CONTENT.—Each notification required under subsection (a) shall—

(1) provide the specific title and authority of the individual authorizing the disclosure;

(2) if applicable, provide the specific title and authority of the individual who authorized the declassification of the intelligence disclosed; and

(3) describe the intelligence disclosed, including the classification of the intelligence prior to its disclosure or declassification and the rationale for making the disclosure.

(d) EXCEPTION.—The notification requirement in this section does not apply to a disclosure made—

(1) pursuant to any statutory requirement, including to section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act'');

(2) in connection with a civil, criminal, or administrative proceeding;

(3) as a result of a declassification review process under Executive Order 13526 (50 U.S.C. 435 note) or any successor order; or

(4) to any officer, employee, or contractor of the Federal government or member of an advisory committee to an element of the intelligence community who possesses an active security clearance and a need to know the specific national intelligence or intelligence related to national security, as defined in section 3(5) of the National Security Act of 1947 (50 U.S.C. 401a(5)).

(e) SUNSET.—The notification requirements of this section shall cease to be effective for any disclosure described in subsection (a) that occurs on or after the date that is one year after the date of the enactment of this Act.

SEC. 505. TECHNICAL AMENDMENTS RELATED TO THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) PERSONNEL PRACTICES.—Section 2302(a)(2)(C) of title 5, United States Code, is amended by striking clause (ii) and inserting the following:

''(ii)(I) the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

''(II) as determined by the President, any executive agency or unit thereof the principal function of which is the conduct of foreign intelligence or counterintelligence activities, provided that the determination be made prior to a personnel action; or''.

(b) SENIOR EXECUTIVE SERVICE.—Section 3132(a)(1)(B) of title 5, United States Code, is amended by inserting ''the Office of the Director of National Intelligence,'' after ''the Central Intelligence Agency,''.

SEC. 506. TECHNICAL AMENDMENT FOR DEFINITION OF INTELLIGENCE AGENCY.

Section 606(5) of the National Security Act of 1947 (50 U.S.C. 426) is amended to read as follows:

''(5) The term 'intelligence agency' means the elements of the intelligence community, as that term is defined in section 3(4).''.

SEC. 507. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. ROGERS of Michigan. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill before us today.

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

There was no objection.

Mr. ROGERS of Michigan. Madam Speaker, I yield myself such time as I may consume, and I appreciate the opportunity to be here on New Year's Eve.

I first wish to make an announcement with respect to the availability of the classified annex to the bill under consideration for the Members of the House. This is to reinforce a previous announcement I made to Members last evening.

Madam Speaker, the classified Schedule of Authorizations and the classified annex accompanying the bill remain available for review by Members at the offices of the Permanent Select Committee on Intelligence in room HVC–304 of the Capitol Visitor Center. The committee office will be open during regular business hours for the convenience of any Member who wishes to review this material prior to its consideration by the House.

I recommend that Members wishing to review the classified annex contact the committee's director of security to arrange a time and date for that viewing. This will assure the availability of committee staff to assist Members who desire assistance during their review of these classified documents.

Madam Speaker, I am pleased that the House is considering this intelligence authorization bill today, the last day of the year. If passed and enacted, this will be our third intelligence authorization bill since I assumed the chairmanship and my friend the gentleman from Maryland became the ranking member of the House Intelligence Committee.

In May, the House overwhelmingly passed, by a vote of 386–28, an intelligence authorization bill which is the same product as the bill that is before us today. I appreciate the ranking member's hard work on this year's bill and that of our colleagues in the Senate to achieve a bipartisan result between the two Chambers.

□ 1030

This is indeed a rare occurrence in this town these days, but this is truly a bipartisan, bicameral product that moves forward when it comes to protecting the United States and putting us in the best national security posture we could imagine.

The intelligence authorization bill is vital to ensuring that our intelligence agencies have the resources and authorities they need to do their important work. The intelligence community plays a critical role in the war on terrorism and securing the country from the many threats that we face.

The annual authorization bill, which funds U.S. intelligence activities spanning 17 agencies, is also a vital tool for congressional oversight of the intelligence community's classified activities. Effective and aggressive congressional oversight is essential to ensuring the continued success of our intelligence community, and therefore the safety of all citizens of the United States. The current challenging fiscal environment demands the accountability and financial oversight of our classified intelligence programs that can only come with an intelligence authorization bill.

The FY 2013 bill sustains our current intelligence capabilities and provides for the development of future capabilities, all while achieving significant savings and ensuring intelligence agencies are being good stewards of our taxpayers' money.

This year, the bill is significantly below last year's enacted budget but up modestly from the President's roughly $72 billion budget request for fiscal year 2013. It is also in line with the House budget resolution, which provides for a modest increase of defense activities above the President's budget.

The bill's comprehensive classified annex provides detailed guidance on intelligence spending, including adjustments to costly but important programs. The bill funds requirements of the men and women of the intelligence community, both military and civilian, many of whom directly support the war zones and are engaged in other dangerous operations designed to keep Americans safe.

It provides oversight and authorization for vital intelligence activities, including the global counterwar on terrorism and efforts by the National Security Agency to defend us from advanced foreign state-sponsored cyberthreats. And I can't tell you enough, Madam Speaker, how in this Chamber we have acted to stand up in the face of a growing cyberthreat not only to government networks but to private networks as well. We have, in a bipartisan way, given the first step on how we stand up our defenses here in the United States to protect us from nation-states like China and Russia—and now Iran—who seek to do us harm using the Internet. We will again aggressively pursue next year, with the help of my ranking member, actions needed, I believe, to protect the United States against what is the largest threat we face that we are not prepared to handle, and that is the growing threat of cyberattack and cyberespionage.

Countering the proliferation of weapons of mass destruction is also a critical, important mission of our intelligence community, and we made sure the resources were available to that end, as well as for global monitoring of foreign militaries and advanced weapons systems and tests, and for research and development of new technology to maintain our intelligence agencies' technological edge.

And like the House-passed bill, this bill promotes operating efficiencies in a number of areas, particularly in information technology, the ground processing of satellite data, and the procurement and operation of intelligence, surveillance, and reconnaissance platforms. The bill holds personnel levels, one of the first and biggest cost drivers, generally at last year's levels. Even so, the bill adds a limited number of new personnel positions for select, high-priority positions, such as FBI surveillance officers to keep watch on terrorists, and personnel for certain other programs that will increase cooperation and training with our foreign partners in the critically important role for our intelligence agencies as we move to protect ourselves from threats all around the world.

The bill authorizes increased funding for intelligence collection programs, including increased counterintelligence to thwart foreign spies. It also increases funding for our intelligence community's comparative advantage—cutting-edge research and development. This is an incredibly important investment for the United States. If we are going to continue to lead in the ability to detect before they can do harm to the United States, we have to make the investment in research and development of high-end technological advancement.

While I cannot get into the specifics of a lot of these programs, it's important to mention them as we are going through the process each year in conducting oversight of intelligence activities and making funding recommendations that will help the community meet its mission in the most effective, fiscally responsible way.

The bipartisan fiscal year 2013 intelligence authorization bill we are considering today preserves and advances national security and is also fiscally responsible. The secrecy that is a necessary part of this country's intelligence work requires that the congressional Intelligence Committees conduct strong and effective oversight on behalf of the American people and even our colleagues here in the House. That strong and effective oversight is impossible, however, without the advancement of these bills.

I want to thank all of the members of the committee for their bipartisan effort to find agreement on a bill that saves money and moves forward smartly on protecting the interests of national security for the United States. I want to thank both of the staffs for working together to produce this bill. This truly is a collaborative effort both from staff and Members in this Chamber and in the Senate, proving that you can work in a bipartisan way to accomplish the best interests of the United States and, in this case, particularly when it comes to national security.

One final note: I want to congratulate Mrs. MYRICK on her years of great service to the Intelligence Committee. She will be leaving us this year. This will be her last authorization bill that she will participate in. I am pleased to see that a provision she championed in May concerning the protection of the United States information technology supply chain is included in this bill. She has done great work in her time with the committee, and she certainly will be missed. She has been a true champion of the national security interests of this country. She is a great friend of mine, and I wish her well in her new endeavors.

I thank all who participated. I also want to take this opportunity to thank my chief counsel for celebrating his birthday today on the House floor with us on New Year's Eve day. I appreciate that very much.

With that, I reserve the balance of my time.

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

Before us today is the Intelligence Authorization Act for fiscal year 2013. It's a good, bipartisan bill that gives our intelligence professionals the resources, capabilities, and authorities they need to keep us safe. And I also want to acknowledge the leadership of Chairman ROGERS. His bipartisan leadership has helped us make the Intelligence Committee a committee that provides oversight to our intelligence agencies and gives them the resources that they need to protect our country. I also want to acknowledge the staff on both sides of the aisle who worked very closely to put this bill together.

When Chairman ROGERS and I took over leadership of the Intelligence Committee, we made a commitment to bipartisanship. We believe politics has no place in national security. The stakes are just too high. We also made a commitment to passing intelligence budgets that provide oversight to the intelligence community and give it important financial direction. Chairman ROGERS and I also work closely with Chairwoman DIANNE FEINSTEIN and vice chair SAXBY CHAMBLISS of the Senate Intelligence Committee, our counterparts in the Senate, so we can get things done.

If this bill becomes law, it will be the third budget bill in a row passed since we took over leadership in January, 2011—a big change from the previous 6 years when we only passed one budget bill. This was an open, bipartisan process where we reached agreement on issues that will make this country safer and intelligence processes more efficient.

We know we are facing tough economic times. This budget is slightly below the enacted levels of FY 2012. We made cuts where appropriate, eliminated redundancies, and pushed programs to come in on time and on budget.

People ask me what keeps me up at night. Besides spicy food, I say weapons of mass destruction and a catastrophic cyberattack that shuts down our banking system, water supply, power grids or worse.

This bill continues a substantial investment in cybersecurity that must be made to keep up with the cyberthreats of today and tomorrow. We also believe we must protect privacy and civil liberties when it comes to cybersecurity.

Another priority is space. The bill promotes the commercial space industry by enhancing the government use of commercial imagery and commercial communications services. It requires the government to use commercial imagery to the maximum extent practicable.

I believe competition is important to ensure we get high quality products while keeping costs down. It drives innovation and provides a much-needed insurance policy in case there are problems with other programs. And it does create jobs.

The bill expanded our counterterrorism efforts to continue the fight against al Qaeda and its affiliates around the world. The bill also makes counterintelligence the priority it is. It makes strategic additions across the intelligence community. This will pay for surveillance, better supply chain security, and the counterintelligence analysts we need.

The bill added resources to the intelligence community's global coverage initiatives to ensure the United States is capable and ready to address threats from any location around the world, especially in areas of strategic interest.

□ 1040

It authorizes the Department of Defense's new defense clandestine service to reorganize its human intelligence collection. It will be a part of the CIA's national clandestine service. The bill directed the Director of national intelligence to develop a centralized cloud for the entire intelligence community; advancing collaboration and further promoting efficiency; and it required the President to develop a strategy for security clearance, reciprocity, and a report on how to better protect our information technology across the global supply chain.

I urge my colleagues to support the Intelligence Authorization Act for FY 2012. When this bill was before the House in May, it passed by a bipartisan margin of 386–28. It's a good bipartisan bill that gives our intelligence professionals what they need to do their jobs and protect our Nation.

Madam Speaker, I reserve the balance of my time.

Mr. ROGERS of Michigan. Madam Speaker, I inquire if the minority side has a list of speakers.

Mr. RUPPERSBERGER. At this time, we have one speaker. We're waiting for more; but if they don't come, we'll move on.

Mr. ROGERS of Michigan. Then I will continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Speaker, I yield 2 minutes to the Congressman from Ohio, DENNIS KUCINICH.

Mr. KUCINICH. I thank my friend. And I want to thank both my friends, the chair and the ranking member, for the work that they do on intelligence. You make a commitment to this country, and I think the country is in good hands because of your work.

I want to raise a question—and we've had some of these conversations between ourselves. I'm very concerned about the shift that's occurred in our national security policy where the Central Intelligence Agency has increasingly played a very powerful paramilitary role with the execution of drone strikes. Numerous studies have indicated that there are many innocent civilians being killed by drone strikes. There's a lack of accountability here. There have been studies that suggest, for example in Yemen, that drone strikes are stirring up anti-American sentiment to the point where al Qaeda is actually being empowered.

We really have to ask of the CIA, but even more than that, of our entire national security infrastructure, What's the game plan here? We see there have been changes in military policy where certain functions have been ceded to the CIA. We see changes in foreign policy where the State Department has let go of some of its functions. We know that the military has made an attempt with the Defense Intelligence Agency to try to become more actively involved as a separate organization. They were seeking 1,600 new spies.

We have this architecture of national security which is so powerful, but I'm not sure that it's actually that effective. I don't question the effectiveness of our chair or our ranking member, but I do question the effectiveness of what we're doing.

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

Mr. RUPPERSBERGER. I yield an additional 1 minute to the gentleman from Ohio.

Mr. KUCINICH. I do question the effectiveness of this drone program, its adherence to international law or lack thereof, the intel gathering on targeted killings where we've seen reports of efforts of one group to target individuals and other groups as a way of trying to settle some scores between people so they put them up as a potential terrorist and they get marked on a list and executed. And as I mentioned earlier, the concern about civilian deaths.

I think that the Central Intelligence Agency functions best in gathering intelligence, and we ought to support them in that regard. I was very concerned and expressed this on the floor about what happened in Benghazi. If we'd paid more attention to the CIA, we probably would still have some of our officials there alive. But that's gone and it's over. We have to recognize that putting the CIA more and more into a paramilitary position is not in the best interest of this country, I don't believe.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

The gentleman and I have had these conversations, and I respect his position greatly and the work he does in Congress.

I have some disagreements, and I'll tell you why—and I hope that the gentleman will consider voting for this bill today. The amount of oversight that the ranking member and I have increased on programs that may have concerns on behalf of Americans, because we have the same concerns. There are tools that America engages in, including air strikes. Air strikes have been something that we have used since we could figure out how to get something off the ground and throw something at the ground. They have been used as a tool. It's not a policy of the United States; it's a tool of the United States to make America safe.

The amount of oversight that happens—and I will tell you this: if there is any air strike conducted that involves an enemy combatant of the United States outside the theater of direct combat, it gets reviewed by this committee. I am talking about every single one. That's an important thing. There are very strict reviews put on all of this material. There are very strict guidelines about how these air strikes may or may not occur, because we have that same feeling. If people lose faith in the ability of our intelligence services to do their work, then they will be ineffective, and, therefore, we will be less safe.

Our argument has been we want that oversight, we want aggressive oversight, and we want thorough review. I can tell you—and I think you'd be proud—of the very work that we do on the committee to that end. We never really did covert-action reviews, except for sporadically. Now we do regularly, quarterly, and monthly covert-action reviews on this committee to make sure that we get it right, that they get it right.

Mr. KUCINICH. Will the gentleman yield?

Mr. ROGERS of Michigan. I would be honored to yield to the gentleman from Ohio.

Mr. KUCINICH. I have no question about the commitment of the chair and the ranking member to proper oversight, but what I do question is that the proliferation of the drone strikes puts such an extraordinary burden on our own oversight capacities. I'm wondering, looking retrospectively at the number of civilian casualties that have occurred, the oversight—there's a decoupling of the oversight capacity from the consequences of the strikes, and that's the point that I'm making here.

I would ask my friend going forward for the committee to be ever more vigilant on—if you're for these strikes and you are conducting the oversight, look at the consequences of civilian casualties to raise questions about the information that's being given you. That's the point that I'm making.

With that, I thank my friend for yielding.

Mr. ROGERS of Michigan. I appreciate that, and I reclaim my time.

I think this is very important. Again, I personally review and the committee reviews the material that comes to these committees.

There are many in the world who have political agendas about civilian casualties. I can tell you to rest assured that that is a point of review for any activity—I'm talking about any activity—that our intelligence community may or may not engage in. I think that you would be shocked and stunned how wrong those public reports are about civilian casualties, and I say that with all seriousness and with the very thought that every one of these events is reviewed.

If there is an air strike used as a technique anywhere in the world to keep America safe, it is reviewed if it comes within the purview of the intelligence community, both military and civilian, on this committee. Those reports are wrong. They are not just wrong; they are wildly wrong. And I do believe people use those reports for their own political purposes outside of the country to try to put pressure on the United States.

□ 1050

Mr. KUCINICH. If I may, will the gentleman yield?

Mr. ROGERS of Michigan. I yield to the gentleman from Ohio.

Mr. KUCINICH. What I would like to do, Mr. Chairman, is to present to you and the ranking member reports that have been forwarded to me regarding these casualties. Maybe these are reports that you've seen, and maybe they aren't; but I certainly think that in the interest of acquitting our country's efforts that we make sure that every effort is made to avoid civilian casualties. So I will present those to you and the ranking member in the next few days, and I want to thank you for giving me this opportunity.

Mr. ROGERS of Michigan. In reclaiming my time, I just want to assure the gentleman that every one of these is reviewed, and rest assured that the public reports about civilian casualties are not just a little bit wrong; they are wildly wrong.

With that, I reserve the balance of my time.

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

First, I do want to acknowledge the work that has been done by DENNIS KUCINICH as a Member of Congress. DENNIS and I don't always philosophically agree, but I respect that he has a good point of view. That's the whole process here in Congress—that we have different points of view, that we come together, that we debate, and that we can make decisions.

So, DENNIS, we are going to miss you. Good luck to you and your family in the future, and I'm glad that one of the last things you're going to do is come here and talk about our bill today.

In just acknowledging what the chairman said, there is an aggressive legal process that is undertaken as far as drones are concerned that goes to the highest levels of our government before strikes are taken. In everything that I have reviewed, if there are children or innocent victims there, the strike does not take place. So there is a process. Unfortunately, there are some casualties—very minor. I would also agree with the chairman as far as this is concerned: in that what you read in the media is usually not what the facts are.

It is part of what we do. Why do we have the Intelligence Committee? We have it because there is classified information that if it got out would hurt the national security of our country. It's part of our role and our committee's role to take this classified information and work with the agencies to which we provide oversight so we will continue to work through that process.

Mr. KUCINICH, I'm glad that you did raise that as an issue, as we all should.

Madam Speaker, for the third time in 3 years, Chairman ROGERS and I have stood on the floor of the House encouraging our colleagues to support our intelligence budget bill. Today, we both rise in support of the Intelligence Authorization Act for Fiscal Year 2013. The bill gives our intelligence professionals the resources, capabilities, and authorities they need to protect America and American interests.

We crafted a bill that addresses our core needs, including space, cybersecurity, counterintelligence, and counterterrorism. We are also keeping an eye on the bottom line. The bill is slightly below last year's budget and holds personnel at last year's levels. In a very strong bipartisan way, the Intelligence Committee came together as Democrats and Republicans to do what is right for our country and for the intelligence community.

I thank the staff again for what it has done, and I thank the chairman for his leadership in helping to provide this bill in a very fair, bipartisan way.

I would also like to acknowledge two Democratic Members who will be leaving us at the end of this session—Congressman DAN BOREN of Oklahoma and Congressman BEN CHANDLER of Kentucky. Both Members will be greatly missed, and I appreciate their service on the Intelligence Committee.

Madam Speaker, I urge my colleagues to support the Intelligence Authorization Act for FY 2013, and I yield back the balance of my time.

Mr. ROGERS of Michigan. Madam Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Michigan has 5½ minutes remaining.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

Again, I want to thank my ranking member and both staffs on the Intelligence Committee for the long hours, hard work and thorough, detailed work

on the budgets and on the classified annex of this report.

I think it should alleviate many of the good concerns of Mr. KUCINICH and others who are concerned about these activities. I think it's important to reiterate that we have the same concerns, which is why we are so thorough and why we have joined together in a bipartisan way to increase the level of congressional oversight and to increase our impact and influence on the policies of the intelligence community in order to make sure it conforms with what this body and what I think the United States of America wants and needs in its intelligence services.

We have now done, as I said before, regularly scheduled covert action, which, I think, should rest assured Americans that it is serious, thoughtful and thorough oversight. For counterintelligence activities, we now have regularly scheduled oversight. Every department is required to proffer its budget request, and we go over it line by line, dollar by dollar, policy by policy to make sure it conforms with the concerns of everyone in this body.

As I said before, these are very brave Americans who are serving in really tough neighborhoods all over the world—trying to collect information, trying to take actionable intelligence to a point that it protects us from harm here at home. They deserve our respect, our encouragement, our high-five and pat on the back when they come home. They want thorough oversight. You wouldn't believe it, but they do. They want to know that the work that they're doing would make America proud for them risking their lives and being away from their families and putting it all on the line to keep America safe.

That's why we agreed to do this in a bipartisan way and to be so thorough in its congressional oversight, because without that—without that confidence, without that faith of the American people that they're doing something on behalf of this great Nation—they will lose their ability to do what they do, and they will lose the courage and confidence that they need to do it in the right way. So that's what this bill reflects.

I understand your concerns. I look forward to our further conversations on this; and in further conversations, I'd like to have the opportunity, if we can arrange this, to give you some examples—a peek behind the curtain as to exactly what goes on in the processes of making sure that we keep the good people safe and that the bad guys are brought to justice. I think you'd be proud of that work. This bill reflects that.

Again, thanks to the ranking member and to the staffs and to the members on both sides of this committee. Thanks to Senator FEINSTEIN and to Senator SAXBY CHAMBLISS for their help in putting this bill together.

I hope we'll get a large show of support with a strong vote of bipartisanship for the men and women who are serving at our intelligence posts all around the world today. Let's send this to the President so we can go about the business of keeping America safe and maybe even look at some other details that the Speaker may have interest in dealing with today.

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

Mr. BLUMENAUER. Madam Speaker, today, I voted against the Fiscal Year 2013 Intelligence Authorization Act. Despite keeping funding levels flat and capping personnel levels to that of Fiscal Year 2012, this authorization is not significantly different than the earlier version I voted against in May.

It is another missed opportunity to make significant, smart reductions in our intelligence infrastructure, at a time when we're asking so many others to make significant budgetary sacrifices in the midst of austerity. This legislation continues to spend way too much money—$72 to $78 billion a year—with little transparency or efforts to reduce the sprawling intelligence community and protect privacy rights.

It's of paramount importance to keep our country safe, and that's exactly what our intelligence community has done, but we cannot afford to spend as much on intelligence as Russia does on its entire military budget or employ hundreds of thousands of people with secret clearance.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. ROGERS) that the House suspend the rules and pass the bill, S. 3454.

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. ROGERS of Michigan. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

NEIL A. ARMSTRONG FLIGHT RESEARCH CENTER AND HUGH L. DRYDEN AERONAUTICAL TEST RANGE DESIGNATION ACT

Mr. HALL. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6612) to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6612

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

SECTION 1. REDESIGNATION OF DRYDEN FLIGHT RESEARCH CENTER.

(a) REDESIGNATION.—The National Aeronautics and Space Administration (NASA) Hugh L. Dryden Flight Research Center in Edwards, California, is redesignated as the ''NASA Neil A. Armstrong Flight Research Center''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the flight research center referred to in subsection (a) shall be deemed to be a reference to the ''NASA Neil A. Armstrong Flight Research Center''.

SEC. 2. REDESIGNATION OF WESTERN AERONAUTICAL TEST RANGE.

(a) REDESIGNATION.—The National Aeronautics and Space Administration (NASA) Western Aeronautical Test Range in California is redesignated as the ''NASA Hugh L. Dryden Aeronautical Test Range''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the test range referred to in subsection (a) shall be deemed to be a reference to the ''NASA Hugh L. Dryden Aeronautical Test Range''.

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

The Chair recognizes the gentleman from Texas.

□ 1100

GENERAL LEAVE

Mr. HALL. Madam Speaker, I ask unanimous consent that all Members shall have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6612, the bill now under consideration.

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

There was no objection.

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

I want to begin by thanking, as I should, the Members for their bipartisan support of the legislation. H.R. 6612 would redesignate the National Aeronautics and Space Administration's Dryden Flight Research Center, which is co-located with the Edwards Air Force Base in the Antelope Valley of California, as the Neil A. Armstrong Flight Research Center. The bill would also rename the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range. This is very appropriate; they were very dear friends.

Neil Armstrong needs no introduction. Actually, this bill was introduced by his congressman, KEVIN MCCARTHY, the congressman where the redesignation will take place. The gentleman from California is the majority whip, but Neil Armstrong absolutely needs no introduction. He's an iconic American hero, and one of the most humble men I've ever met. He was quiet, thoughtful, and deliberate, choosing his words carefully, whether it was testifying before a congressional committee, giving a speech, or sharing a quiet movement with a friend. He did not exaggerate, and always, always gave recognition to the teams of engineers, technicians, and scientists at NASA and in industry when speaking

about the success of the Apollo 11 mission. He refused to take personal credit for his accomplishments.

Naming the flight center after Neil is very appropriate. After graduating from college, Neil joined NASA's predecessor agency, the National Advisory Council on Aeronautics, and soon found himself at NACA's High Speed Flight Station located at Edwards, which in time would become the Dryden Flight Research Center. He spent 7 years there flying a variety of new design and high-performance aircraft, including seven flights at the controls of the X–15.

Neil was a good friend, and is sorely missed by me and by all of the people he touched during his long and active life. He is survived by his wife, Carol; his two sons, Mark and Rick; a stepson and a stepdaughter; 10 grandchildren; and a brother and sister.

The bill also names the Western Aeronautical Test Range after Dr. Hugh L. Dryden. He held the position of director of the National Advisory Council on Aeronautics from 1947 until it was renamed NASA in 1958, and was deputy director of NASA until his death in 1965.

Dr. Dryden did pioneering research on airfoils near the speed of sound and the problems of airflow and turbulence. His work greatly contributed to the designs of wings for aircraft, including the P–51 Mustang and other World War II aircraft.

Before I close, I want to tell something that was rather interesting. President Clinton, I think it was on the 25th anniversary, invited Neil to speak, knowing that he probably wouldn't speak because he had indicated that he would not. But he left an empty chair for him on the stage. And as we got through the ceremony, Neil walked in. And the President, good natured, said, Well, I said you wouldn't speak, but here's the microphone.

Neil took the microphone and said, The parrot is the only bird that can fly and speak, and I can do the same.

Then he sat down, and it brought the house down.

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

Ms. EDWARDS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, all Americans can recite those famous words uttered by Neil Armstrong 43 years ago as he became the first human to walk on the Moon. Those words, as all Americans know were, ''That's one small step for man, one giant leap for mankind.''

In an effort to recognize that great man, H.R. 6612 has been offered to redesignate the National Aeronautics and Space Administration's Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center. The bill would also rename the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

While I plan to support it, this is a bill that is a bit unfortunate since it honors one aerospace pioneer by stripping away the honor previously extended to another worthy pioneer. Both are worthy of recognition. Their accomplishments at NASA and for the Nation are without parallel.

Dr. Hugh Latimer Dryden was director of the National Advisory Committee for Aeronautics from 1947 until the creation of the National Aeronautics and Space Administration, and was named deputy administrator of the new aerospace agency when it was created in response to the Sputnik crisis.

Dr. Dryden made numerous technical contributions to research in high-speed aerodynamics, fluid mechanics, and acoustics, and published more than 100 technical papers and articles in professional journals. NASA's Dryden Flight Research Center in Edwards, California, was named in honor of him on March 26, 1976. The center is NASA's premier site for aeronautical flight research.

Neil Armstrong joined NACA, the advisory committee, in 1955 following his service as a naval aviator. Over the next 17 years, he was an engineer, test pilot, astronaut, and administrator for the committee and its successor agency, NASA.

As a research pilot, he flew over 200 different models of aircraft, such as the storied X–15. He transferred to astronaut status in 1962, and was command pilot for the Gemini VIII mission when he performed the first successful docking of two vehicles in space. As spacecraft commander for Apollo 11, the first manned lunar landing mission, Neil Armstrong inspired millions around the world. He inspired me. And he passed away just this past August.

Madam Speaker, it's clear that Neil Armstrong never sought the honor of having a NASA center named after him while he was alive. And the truth is, his name is going to live long throughout history whether or not we ever name anything for him. I expect that today we will approve this legislation, and that's fine. But I hope that all the Members who vote to honor him today will remember his testimony before the House Science, Space, and Technology Committee. I know that our chairman, Mr. HALL, will remember that during that testimony he argued eloquently for the critical importance of giving NASA a sustainable future and a human exploration program that can once again inspire our children and humanity around the world.

It seems rather extraordinary that even as we're honoring our hero, Neil Armstrong, that we face a situation where NASA's budget would be decimated, gutting the very programs that Neil Armstrong felt so passionately about. And if the same Members who vote to honor him today will commit to working in the coming months and years for those exploration goals, to those heights to which he devoted the last years of his life, then we will have truly honored Neil Armstrong in an enduring and meaningful way.

And with that, I reserve the balance of my time.

Mr. HALL. Madam Speaker, I yield 5 minutes to the very capable majority whip, the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. Madam Speaker, to the committee, thank you for your work, and especially to Chairman HALL for his tenure on the committee and his history-making here in Congress. I thank you.

Madam Speaker, I rise today in support of H.R. 6612 to honor two great pioneers in American aeronautics and space exploration, Dr. Hugh Dryden and astronaut Neil Armstrong.

Some of us here today can remember the pride every American felt in the summer of 1969 when we heard Neil Armstrong utter those famous words, ''that's one small step for man, one giant leap for mankind,'' when he led the Apollo 11 mission and landed on the Moon.

Before this incredible trip, Armstrong served as a test pilot for 7 years at what is presently called the NASA Dryden Flight Research Center in Kern County, California, which I'm proud to represent.

Armstrong accumulated 2,400 hours of flying as a test pilot there, mainly in experimental jets. He was also part of the team in the early 1960s that researched how to land on the Moon using the Lunar Landing Research Vehicle.

After the success of Apollo 11, Armstrong became NASA's deputy associate administrator for aeronautics. Under Armstrong's leadership, the center had one of its most far-reaching technological breakthroughs in a concept called digital fly-by-wire, the precursor to computerized flight control systems used on nearly all military and civilian high-performance aircraft, including the space shuttles.

At NASA's Dryden 50th anniversary, Armstrong said in his speech: ''My years here were wonderful years. Dryden was a most unusual place—its enormous curiosity, wonderful intensity, and its unbelievable willingness to attempt the impossible here.''

H.R. 6612 would rename the center in his honor the Neil A. Armstrong Flight Research Center.

□ 1110

The bill would also honor Dr. Hugh Dryden's contributions to aerospace engineering, some that made Neil Armstrong's achievements possible.

Dr. Dryden was an early pioneer in aerodynamics and helped with many scientific breakthroughs, including the X–15 aircraft that launched some test pilots to careers as astronauts, including Neil Armstrong.

Dr. Dryden was chosen to be NASA's first deputy administrator in 1958, placing him in charge of the programs that allowed the Agency to send those three brave men to the Moon in 1969. Dr. Dryden passed away in 1965, just a few years before his work was fulfilled and Armstrong took that first small step.

H.R. 6612 will memorialize both men by redesignating the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautic Test Range as the Hugh L. Dryden Aeronautical Test Range.

Edwards Air Force Base, Naval Air Weapons Station China Lake, and the NASA Flight Research Center in east Kern County remain a hub of scientific discovery, aeronautical innovation, and space exploration. I look forward to many more groundbreaking achievements from the men and women inspired by the legacy of Neil Armstrong and Hugh Dryden.

Madam Speaker, I will insert the following letters of support for my bill into the RECORD. I urge my colleagues to join me in supporting this bill.

SPACEX,
Washington, DC, December 13, 2012.

Hon. KEVIN MCCARTHY,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY: I am writing to express SpaceX's support for your recently introduced legislation, H.R. 6612, to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center.

Throughout his extraordinary life, Neil Armstrong served as an inspiration to the nation and to the world, as a leader, explorer, and educator. His historic voyage to the Moon in 1969 opened the cosmos and created a legacy of greatness that will be forever remembered by all those in the pursuit of discovery.

By renaming the Center, you are honoring Neil Armstrong's life of achievements every day with the groundbreaking science conducted there. SpaceX and our more than 2,200 employees applaud this important legislation and are proud to look to Commander Armstrong's outstanding character every day as we take our first steps into space.

Sincerely,

TIM HUGHES,
Senior Vice President & General Counsel.

EAFB
CIV-MIL SUPPORT GROUP,
Lancaster, CA.

Hon. KEVIN MCCARTHY,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY, The Edwards Air Force Base Civilian/Military Support Group wishes to convey to you its support of an initiative to change the designation of the ''NASA Dryden Flight Research Center'' at Edwards AFB, Ca. to the ''Neil A. Armstrong Flight Research Center'' and the designation of the ''Western Aeronautical Test Range'' as the ''Hugh L. Dryden Aeronautical Test Range.''

Founded over 24 years ago, our organization is the only non-profit group dedicated exclusively to supporting the men and women, both civilian and military, who serve at Edwards AFB. As such, we feel it is entirely fitting that the NASA Dryden Flight Research Center be re-named in honor of Neil A. Armstrong, a decorated naval aviator and flight test pioneer who faithfully served our nation in both civilian and military capacities. Additionally, Mr. Armstrong enjoyed close ties to both the flight test community at Edwards AFB and the local Antelope Valley civilian community. In fact, many of his former colleagues still reside here and speak fondly of Mr. Armstrong and his contributions to this nation.

We would like to also recognize that the contributions to this country made by Hugh L. Dryden are many and of worthy distinction in their own right and we do not wish to detract from such a distinguished legacy. Therefore, out of respect for Mr. Dryden's living family members and in order to preserve his memory we feel it is entirely appropriate to re-name the Western Aeronautical Test Range in his honor.

Our nation is in dire need of programs that build on a solid base of science, mathematics and engineering in order to keep pace with our ever expanding technology. We feel the re-designation of these two assets will help to inspire future generations of aviators, scientists and engineers.

For the above reasons, the Edwards AFB Civilian/Military Support Group joins with our legislative offices and other community organizations in supporting the proposed name change to the Neil A. Armstrong Flight Research Center and Hugh L. Dryden Aeronautical Test Range.

Thank you for your efforts in pushing this initiative forward in Congress and we wish you great success.

Sincerely,

DANNY A. BAZZELL,
President, Edwards AFB
Civilian/Military Support Group.

MOJAVE AIR & SPACE PORT,
Mojave, CA, November 27, 2012.

Hon. KEVIN MCCARTHY,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY, Mojave Air & Space Port strongly supports a Resolution in favor of the proposed name change of the current NASA Dryden Flight Research Center to the Neil A. Armstrong Flight Research Center and Western Aeronautical Test Range to the Hugh L. Dryden Aeronautical Test Range.

It is most appropriate that Astronaut Neil A. Armstrong be honored and memorialized in this way with his noted lifelong accomplishments as the first human to walk on the moon and as a former test pilot who worked at the Dryden Flight Research Center for seven years (1955–1962) as well as emphasis on the contributions of the center to the agency's space exploration mission.

The Resolution recognizes the importance of this center in advancing technology and science through flight research and technology integration to revolutionizing aviation and pioneering aerospace technology as well as space exploration. We feel that this would be an extraordinary honor for Neil Armstrong by strongly encouraging and supporting the passage of this legislation to honor his memory as well as acknowledging the accomplishments of Hugh L. Dryden by renaming the aeronautical test range in his honor.

Sincerely,

STUART O. WITT,
Chief Executive Officer.

Sacramento, CA, November 28, 2012.

Hon. KEVIN MCCARTHY,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY: Thank you for introducing legislation to recognize Neil Armstrong and Hugh Dryden's enormous contributions to our national space program and the aerospace community in the Antelope Valley.

Designating the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range honors both of these individuals appropriately and in a way that highlights the contributions they have made.

Aerospace is an ever changing, constantly advancing field. In the same way it was right to redesignate the former Lewis Research Center in Ohio to honor John Glenn's achievements and contributions, it is right to do so to honor Neil Armstrong and Hugh Dryden at the Edwards AFB facility.

On behalf of the nine million California residents, including the aerospace communities in the high desert areas of Kern, Los Angeles and San Bernardino counties, I fully support H.R. 6612 and encourage all our federal representatives to join and support your legislation. Thank you for your time and consideration.

Sincerely,

GEORGE RUNNER,
Member, California State
Board of Equalization.

GREATER ANTELOPE VALLEY
ECONOMIC ALLIANCE,
Lancaster, CA, December 5, 2012.

Hon. KEVIN MCCARTHY,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY: On behalf of the Board of Directors of the Greater Antelope Valley Economic Alliance (GAVEA), I'm requesting your support of an initiative to designate the NASA Dryden Flight Research Center at Edwards, Calif., the NASA Neil A. Armstrong Flight Research Center and to designate NASA's Western Aeronautical Test Range the NASA Hugh L. Dryden Aeronautical Test Range.

GAVEA has been a supporter of the flight test missions at Edwards since our inception in 2000. In light of NASA's current mission to ''extend the frontiers of space exploration, scientific discovery, and aeronautics research,'' we can think of no other person than Neil Armstrong whose name has the ability to inspire the next generation of researchers, scientists and space explorers.

In addition, Mr. Armstrong had strong ties to both the center and the local community and lived an extraordinary life of service not only to his country as a test pilot and astronaut, but also as an educator. Recognition of his contribution to the nation is long overdue. Many of his former colleagues from the center still reside in our community and can attest to his reputation for exemplary values as well as technical and operational excellence.

With due consideration, we acknowledge that Dr. Hugh Dryden also made a significant contribution to the NASA center at Edwards. However, few people today, especially young people, are able to make an immediate connection to his name. We believe it is important to preserve his legacy and that naming the Aeronautical Test Range after him would be a fitting tribute to his memory and to his living family members. It is a far more imperative mandate, however, to do what we can now to inspire math and science education though the center so that the important mission at NASA continues into the future. A fresh face on the facility at Edwards, in our opinion, will accomplish that objective.

The Board of Directors of GAVEA wholeheartedly join our local legislators in endorsing this name change that reflects the outstanding successes of the center for over 60 years. We thank you for your effort to advance this initiative in Congress in the weeks to come.

Sincerely,

DR. JACKIE FISHER,
GAVEA, Chairman.

PALMDALE CHAMBER OF COMMERCE,
Palmdale, CA, November 28, 2012.

On behalf of the Palmdale Chamber of Commerce, I want to share our support for the name change of NASA's Dryden Flight Research Center.

The Palmdale Chamber of Commerce has always been supportive of and, has been a beneficiary of, aerospace and space exploration brought about through the work of NASA. My personal dealings with NASA have led me to believe that they have done their due diligence in educating the population on who Hugh Dryden was however, many still do not know, nor will they ever know the impact of his work.

For this reason, the Palmdale Chamber of Commerce is supportive of a name change to NASA's Dryden Flight Research Center. A change in name to the Neil A. Armstrong Flight Research Center brings familiarity to NASA and in name alone will lend itself to increased interest in NASA's mission at the Flight Research Center.

Thank you for your consideration.

Sincerely,

JEFF MCELFRESH,
CEO, Palmdale Chamber of Commerce.

ANTELOPE VALLEY BOARD OF TRADE,
Lancaster, CA, Nov. 27, 2012.

Hon. KEVIN MCCARTHY,
Cannon House Office Building,
Washington DC.

DEAR CONGRESSMAN MCCARTHY: The Antelope Valley Board of Trade wishes to express to you its support of an initiative to designate the NASA Dryden Flight Research Center at Edwards, Calif., the NASA Neil A. Armstrong Flight Research Center and to designate NASA's Western Aeronautical Test Range the NASA Hugh L. Dryden Aeronautical Test Range.

Our organization has been has been a supporter of the flight test missions at Edwards since the late 1950s. To that effect, we have seen numerous name changes of the NASA facility over the years, and we feel that the timing is right to move the center into a new era. In light of NASA's current mission to ''extend the frontiers of space exploration, scientific discovery, and aeronautics research'' we can think of no other person than Neil Armstrong whose name has the ability to inspire the next generation of researchers, scientists and space explorers.

In addition, Mr. Armstrong had strong ties both to the center and to the local community and lived an extraordinary life of service not only to his country as a test pilot and astronaut, but also as an educator. Recognition of his contribution to the nation is long overdue. Many of his former colleagues from the center still reside in our community and can attest to his reputation for exemplary values as well as technical and operational excellence.

With due consideration, we acknowledge that Dr. Hugh Dryden also made a significant contribution to the NASA center at Edwards. However, few people today, especially young people, are able to make an immediate connection to his name. We believe it is important to preserve his legacy and that naming the Aeronautical Test Range after him would be a fitting tribute to his memory and to his living family members. It is a far more imperative mandate, however, to do what we can now to inspire math and science education through the center so that the important mission at NASA continues into the future. A fresh face on the facility at Edwards, in our opinion, will accomplish that objective.

We join our local legislators in endorsing this name change that reflects the outstanding successes of the center for over 60 years. We thank you for your efforts to advance this initiative in Congress in the weeks to come.

For over fifty-three years the mission of the Antelope Valley Board of Trade has been ''to promote diverse business and industry, quality infrastructures, and a strong legislative voice for the benefit of our members and the greater Antelope Valley.''

Sincerely,

VICKI MEDINA,
Executive Director.

KERN COUNTY BOARD OF SUPERVISORS,
Bakersfield, CA, December 4, 2012.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER: The Kern County Board of Supervisors supports legislation by Rep. Kevin McCarthy to redesignate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

The legislation will accomplish three important goals: (1) to honor and memorialize Neil A. Armstrong, the first human to walk on the Moon and a former test pilot who worked at the Center for seven years (1955–1962), (2) to emphasize the contributions of that Center to the agency's space exploration mission, and (3) to continue to memorialize the extraordinary career of Hugh F. Dryden by renaming the aeronautical test range (approximately 12,000 square miles of special use airspace) in his honor.

Neil Armstrong's career in test flight began at Edwards Air Force Base. At the time he became an astronaut, Armstrong had logged 2,400 hours of flying time as a test pilot at Edwards, about 900 of the hours in jets. Armstrong was the only member of his class of astronauts who had flown in any rocket-powered aircraft, notably the X–15. which he piloted seven times at the Center.

While still a test pilot at the NASA Flight Test Center in the early 1960s, Armstrong was part of a team that conceptualized the Lunar Landing Research Vehicle (LLRV), a flight test article that proved critically important in learning what would be required to pilot a spacecraft to a lunar landing. The LLRV evolved into the Lunar Landing Training Vehicle in which Armstrong and all other commanders of Apollo lunar landing missions trained for their descents from lunar orbit to the surface of the Moon.

At the conclusion of Apollo 11, Armstrong left his astronaut duties and became NASA's Deputy Associate Administrator for Aeronautics. In this post he oversaw the aeronautical research programs being conducted at the Center and took a lead role in the Center's work on the new technology of digital fly-by-wire (DFBW), a concept for flying an airplane electronically. NASA considers DFBW technology to be one of the most far-reaching research technology breakthroughs that its Flight Research Center has made in its 60-year history. DFBW technology was the forerunner of the computerized flight control systems used on nearly all modern high performance aircraft, on military and civilian transports, and on the space shuttles.

Given Commander Armstrong's extraordinary career and his close association with Edwards Air Force Base, our Board believes it is appropriate to redesignate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center, and that it is equally appropriate to redesignate the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range. We respectfully request your strong support for this legislation.

Sincerely,

ZACK SCRIVNER,
Chairman.

KERN COUNTY BOARD OF SUPERVISORS,
Bakersfield, CA, December 4, 2012.

Hon. JIM COSTA,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN COSTA: The Kern County Board of Supervisors supports legislation by Rep. Kevin McCarthy to redesignate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

The legislation will accomplish three important goals: (1) to honor and memorialize Neil A, Armstrong. the first human to walk on the Moon and a former test pilot who worked at the Center for seven years (1955–1962), (2) to emphasize the contributions of that Center to the agency's space exploration mission, and (3) to continue to memorialize the extraordinary career of Hugh L. Dryden by renaming the aeronautical test range (approximately 12,000 square miles of special use airspace) in his honor.

Neil Armstrong's career in test flight began at Edwards Air Force Base. At the time he became an astronaut. Armstrong had logged 2,400 hours of flying time as a test pilot at Edwards, about 900 of the hours in jets. Armstrong was the only member of his class of astronauts who had flown in any rocket-powered aircraft, notably the X–15, which he piloted seven times at the Center.

While still a test pilot at the NASA Flight Test Center in the early 1960s, Armstrong was part of a team that conceptualized the Lunar Landing Research Vehicle (LLRV), a flight test article that proved critically important in learning what would be required to pilot a spacecraft to a lunar landing. The LLRV evolved into the Lunar Landing Training Vehicle in which Armstrong and all other commanders of Apollo lunar landing missions trained for their descents from lunar orbit to the surface of the Moon.

At the conclusion of Apollo 11, Armstrong left his astronaut duties and became NASA's Deputy Associate Administrator for Aeronautics. In this post he oversaw the aeronautical research programs being conducted at the Center and took a lead role in the Center's work on the new technology of digital fly-by-wire (DFBW), a concept for flying an airplane electronically. NASA considers DFBW technology to be one of the most far-reaching research technology breakthroughs that its Flight Research Center has made in its 60-year history. DFBW technology was the forerunner of the computerized flight control systems used on nearly all modern high performance aircraft, on military and civilian transports, and on the space shuttles.

Given Commander Armstrong's extraordinary career and his close association with Edwards Air Force Base, our Board believes it is appropriate to redesignate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center, and that it is equally appropriate to redesignate the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range. We respectfully request your strong support for this legislation.

Sincerely,

ZACK SCRIVNER,
Chairman.

KERN COUNTY BOARD OF SUPERVISORS,
Bakersfield, CA, December 4, 2012.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: The Kern County Board of Supervisors supports legislation by Rep. Kevin McCarthy to redesignate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

The legislation will accomplish three important goals: (1) to honor and memorialize Neil A. Armstrong, the first human to walk on the Moon and a former test pilot who worked at the Center for seven years (1955–1962), (2) to emphasize the contributions of that Center to the agency's space exploration mission, and (3) to continue to memorialize the extraordinary career of Hugh L. Dryden by renaming the aeronautical test range (approximately 12,000 square miles of special use airspace) in his honor.

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While still a test pilot at the NASA Flight Test Center in the early 1960s, Armstrong was part of a team that conceptualized the Lunar Landing Research Vehicle (LLRV), a flight test article that proved critically important in learning what would be required to pilot a spacecraft to a lunar landing. The LLRV evolved into the Lunar Landing Training Vehicle in which Armstrong and all other commanders of Apollo lunar landing missions trained for their descents from lunar orbit to the surface of the Moon.

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Given Commander Armstrong's extraordinary career and his close association with Edwards Air Force Base, our Board believes it is appropriate to re-designate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center, and that it is equally appropriate to redesignate the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range. We respectfully request your strong support for this legislation.

Sincerely,

JACK SCRIVNER,
Chairman.

KERN COUNTY BOARD OF SUPERVISORS,
Bakersfield, CA, December 4, 2012.

Hon. KEVIN MCCARTHY,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY: The Kern County Board of Supervisors supports your legislation to redesignate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

The legislation will honor and memorialize Neil A. Armstrong, the first human to walk on the Moon and a former test pilot who worked at the Center for seven years (1955–1962); emphasize the contributions of that Center to the agency's space exploration mission, and continue to memorialize the extraordinary career of Hugh L. Dryden by renaming the aeronautical test range (approximately 12,000 square miles of special use airspace) in his honor.

Neil Armstrong's career in test flight began at Edwards Air Force Base. At the time he became an astronaut, Armstrong had logged 2,400 hours of flying time as a test pilot at Edwards, about 900 of the hours in jets. Armstrong was the only member of his class of astronauts who had flown in any rocket-powered aircraft, notably the X–15, which he piloted seven times at the Center.

While still a test pilot at the NASA Flight Test Center in the early 1960s, Armstrong was part of a team that conceptualized the Lunar Landing Research Vehicle (LLRV), a flight test article that proved critically important in learning what would be required to pilot a spacecraft to a lunar landing. The LLRV evolved into the Lunar Landing Training Vehicle in which Armstrong and all other commanders of Apollo lunar landing missions trained for their descents from lunar orbit to the surface of the Moon.

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Given Commander Armstrong's extraordinary career and his close association with Edwards Air Force Base, our Board believes it is appropriate to redesignate the National Aeronautics and Space Administration's (NASA) Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center, and that it is equally appropriate to redesignate the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range. We therefore offer our strong support for your legislation.

Sincerely,

ZACK SCRIVNER,
Chairman,

CITY OF PALMDALE,
Palmdale, CA, December 3, 2012.

CONGRESSMAN KEVIN MCCARTHY,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN MCCARTHY: The City of Palmdale is pleased to support your legislature proposal to re-designate NASA Dryden Flight Research Center in honor of Neil A. Armstrong.

The Antelope Valley, including Palmdale, is known for its rich aviation history and heritage, largely resulting from operations at Air Force Plant 42 and Edwards Air Force Base including NASA Dryden Flight Research Center. Our residents and local businesses are involved in making extensive contributions to our nation in the fields of space exploration, national defense, aeronautics and other scientific discovery.

With NASA's new vision for space exploration, there is a need to inspire the next generation of scientists and researchers to explore space. The proposed name change will accomplish two important goals: to honor Neil Armstrong, test pilot and Apollo 11 astronaut who was the first person to walk on the Moon and a former test pilot at the Center, as well as to emphasize the contributions of the Center to the Agency's space exploration mission.

Again, I applaud your efforts and thank you for introducing this legislation and your ongoing support of the Antelope Valley.

Sincerely

JAMES C. LEDFORD, JR.,
Mayor.

CITY OF CALIFORNIA CITY, CITY HALL,
California City, CA, November 28, 2012.

Hon. KEVIN MCCARTHY,
Cannon House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN MCCARTHY: The City of California City whole heartedly supports and indorses the proposed name change of the NASA Dryden Flight Research Center to the Neil A. Armstrong Flight Research Center in honor of Neil Armstrong's lifelong service to his country and the expansion of space exploration.

The rich history of NASA and it's relationship with Mr. Armstrong which lead to his accomplishments throughout his career inspire the ''Can Do'' attitude that makes America the nation of leaders that others constantly strive to emulate.

We applaud your efforts to make this a realization so that future Americans will continue to recognize this pioneer's efforts whenever they come in contact with the NASA's Flight Research Center.

Sincerely,

WILLIAM T. WEIL, JR.,
City Manager.

LANCASTER, CA,
November 29, 2012.

Hon. KEVIN MCCARTHY,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN MCCARTHY: The Antelope Valley Board of Trade wishes to express to you its support of an initiative to designate the NASA Dryden Flight Research Center at Edwards, California the NASA Neil A. Armstrong Flight Research Center and to designate NASA's Western Aeronautical Test Range the NASA Hugh L. Dryden Aeronautical Test Range.

Our organization has been a long-time supporter of the flight test missions at Edwards. To that effect, we have seen numerous name changes of the NASA facility over the years, and we feel that the timing is right to move the center into a new era. In light of NASA's current mission to ''extend the frontiers of space exploration, scientific discovery, and aeronautics research'', we can think of no other person than Neil Armstrong whose name has the ability to inspire the next generation of researchers, scientists, and space explorers.

In addition, Mr. Armstrong had strong ties both to the center and to the local community and lived an extraordinary life of service not only to his country as a test pilot and astronaut, but also as an educator. Recognition of his contribution to the nation is long overdue. Many of his former colleagues from the center still reside in our community and can attest to his reputation for exemplary values as well as technical and operational excellence.

We join our local legislators in endorsing this name change that reflects the outstanding successes of the center for over 60 years. We thank you for your efforts to advance this initiative in Congress in the weeks to come.

Sincerely,

R. REX PARRIS,
Mayor.

Ms. EDWARDS. Madam Speaker, I yield 2 minutes to my good friend, the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Neil Armstrong's voyage to the Moon represented a personal heroic journey, and it was also expressive of a uniquely American capability and capacity to reach higher and higher, to expand our horizons, to seek newer worlds, and to do that with a sense of wonder and in peace. May we regain that capacity through recognizing him today.

Mr. HALL. Madam Speaker, I yield 3 minutes to the gentleman from Texas, Mr. LAMAR SMITH, who, on the 3rd day of January will be the chairman of Science, Space, and Technology for many, many years.

Mr. SMITH of Texas. Madam Speaker, I thank the gentleman from Texas, the chairman of the Science, Space, and Technology Committee for yielding me time.

Madam Speaker, first I want to thank the gentleman from California, Majority Whip KEVIN MCCARTHY, for honoring both Neil Armstrong and NASA Deputy Administrator Hugh Dryden with this bill.

Not many people know the relationship between these two men. Hugh Dryden was the visionary behind NASA's X–15 rocket plane and the *Apollo* program, and Neil Armstrong was the one who actually flew the spacecraft that Dryden envisioned.

The X–15 rocket plane set many speed and altitude records in the early 1960s. Hugh Dryden was the engineer and program manager for that spacecraft, which Neil Armstrong flew seven times.

While everyone knows that Neil Armstrong was the first person to set foot on the Moon, not many people know Hugh Dryden's role. The Soviets launched the first satellite, Sputnik, in 1957, and Cosmonaut Yuri Gagarin became the first man in space in April 1961.

President John F. Kennedy was looking for a way to demonstrate American ingenuity and technical superiority over the Soviet Union, so he convened the National Space Council and asked for their advice on the best way for America to respond to the Soviets' string of firsts in space exploration. Hugh Dryden was the person in that meeting who recommended to the President that the goal of putting a person on the Moon within 10 years was achievable and something the American people could rally behind. The rest is history. President Kennedy grabbed Hugh Dryden's idea and addressed a joint session of Congress the very next month.

The *Apollo* program was the brainchild of Hugh Dryden, and Neil Armstrong turned that dream into reality by making that ''one small step for man, one giant leap for mankind'' on another world almost 240,000 miles away. Hugh Dryden was not able to see his dream become reality, as he died in 1965, and, unfortunately, Neil Armstrong passed away last August.

It is important for us to honor both men's legacies by naming the flight research center after Neil Armstrong and the surrounding test range after Hugh Dryden. With this bill, we reaffirm that America is filled with dreamers like Hugh Dryden and doers like Neil Armstrong, who, working together, can shoot for the Moon.

Again, Madam Speaker, I want to thank Congressman MCCARTHY for honoring their legacy, which reminds us that America always needs to think about new frontiers.

Ms. EDWARDS. Madam Speaker, I'd like to inquire of Mr. HALL as to whether he has additional speakers; otherwise, I'm ready to close.

Mr. HALL. No, we do not have additional speakers.

Ms. EDWARDS. Madam Speaker, I yield myself such time as I may consume.

It seems so fitting that we're here today to recognize Neil Armstrong. And I want to thank Mr. HALL both for his leadership of our Science Committee and the opportunity that we've had to work together. He is a good friend. I look forward to working with our new chairman, Mr. SMITH, in the next Congress.

And it seems that we will have an opportunity to work on the things that Neil Armstrong believed in and felt so passionately about: about making sure that the United States remains at the top of the leader board when it comes to space exploration; making certain that, as he expressed in our committee, NASA remains at the forefront of our technology development, of our research, of our capacity.

There are few of us who will get to see or to know what Neil Armstrong saw and knew. There are few of us, though we want to, who will be able to see the universe in the kind of way that Neil Armstrong did. But what we do know is that we have the ability here in this Congress and in future Congresses to actually preserve what it is that we do in space and how we use technology, and that we build on the great promise of Hugh Dryden and Neil Armstrong and our great capacity as a Nation for research and development and technology.

I know that our leaders will be committed to preserving the names of these great heroes in the work that we do in the future, for our children and for generations to come.

It also seems very fitting that in honoring Neil Armstrong—and I will just say personally, there are few opportunities here in the Congress where you feel like you really get to both touch the past and look to the future, and for me, that came in just being able to meet and to talk with Neil Armstrong when he came before our committee, Mr. Chairman.

And I will say, having watched all of those missions as a little girl sitting in front of a black-and-white television, in a classroom, seeing the promise and capacity of our universe and our scientific endeavors and creation, that Neil Armstrong was at the center of that. And so I am pleased that we're able to honor him today, but I hope that we can honor him and his legacy in the future with the work that we do to preserve the great work that's done at the National Aeronautics and Space Administration for all of our future generations.

To the chairman, I know that, to Chairman HALL, Neil Armstrong was a special friend of his as well and quite an inspiration, but an inspiration for generations. And so it gives me great pleasure to be able to present H.R. 6612 in renaming the Dryden Research Center as the Neil A. Armstrong Center, and I look forward to continuing to support the great work of the National Aeronautics and Space Administration.

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

Mr. HALL. Madam Speaker, before I close, I'd just like to thank Jay Pierson, who plans to retire at the end of this year, for his many, many years of service to this House. He's been very helpful to me, to my staff, and to other staffs. He'll be sorely missed.

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

Mr. CALVERT. Madam Speaker, I proudly stand with my good friend and fellow Californian, Majority Whip KEVIN MCCARTHY, in strong support of legislation we have both championed, H.R. 6612, which will redesignate NASA's Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

One of the greatest benefits of public service in U.S. House of Representatives is the people that you meet from all walks of life.

I had the very high honor and privilege of meeting Mr. Armstrong on several occasions before he passed away on August 25, 2012.

Given his place as a revered global icon, Neil never sought the limelight and never lost his unassuming nature or the Midwestern values that his Ohio roots instilled in him.

Those of us who were old enough to witness first hand when he took his first step on the surface of the moon will never forget the great sense of pride in our country and inspiration in the ability of mankind.

There are few events in history that have had such a profound and positive impact, transcending generations across the globe.

H.R. 6612 is just one way we can pay tribute to this great American hero.

The bill will accomplish three important goals: (1) to honor Neil A. Armstrong, who served as an experimental research test pilot at the center from 1955 to 1962; (2) to emphasize the contributions of that center to NASA's current space exploration mission; and (3) to memorialize the extraordinary career of Dr. Hugh L. Dryden by naming the aeronautical

test range, approximately 12,000 square miles of special use airspace in his honor.

I urge my House colleagues to support the passage of H.R. 6612.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HALL) that the House suspend the rules and pass the bill, H.R. 6612.

The question was taken.

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

Ms. EDWARDS. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 1120

MANIILAQ ASSOCIATION PROPERTY CONVEYANCE

Mr. YOUNG of Alaska. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 443) to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. CONVEYANCE OF PROPERTY.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, but not later than 180 days after such date, the Secretary of Health and Human Services (in this Act referred to as the ''Secretary'') shall convey to the Maniilaq Association located in Kotzebue, Alaska, all right, title, and interest of the United States in and to the property described in section 2 for use in connection with health and social services programs. The Secretary's conveyance of title by warranty deed under this section shall, on its effective date, supersede and render of no future effect on any Quitclaim Deed to the properties described in section 2 executed by the Secretary and the Maniilaq Association.

(b) CONDITIONS.—The conveyance required by this section shall be made by warranty deed without consideration and without imposing any obligation, term, or condition on the Maniilaq Association, or reversionary interest of the United States, other than that required by this Act or section 512(c)(2)(B) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa–11(c)(2)(B)).

SEC. 2. PROPERTY DESCRIBED.

The property, including all land and appurtenances, to be conveyed pursuant to section 1 is as follows:

(1) KOTZEBUE HOSPITAL AND LAND.—Re-Plat of Friends Mission Reserve, Subdivision No. 2, U.S. Survey 2082, Lot 1, Block 12, Kotzebue, Alaska, containing 8.10 acres recorded in the Kotzebue Recording District, Kotzebue, Alaska, on August 18, 2009.

(2) KOTZEBUE QUARTERS AKA KIC SITE.—Re-plat of Friends Mission Reserve, U.S. Survey 2082, Lot 1A, Block 13, Kotzebue, Alaska, containing 5.229 acres recorded in the Kotzebue Recording District, Kotzebue, Alaska, on December 23, 1991.

(3) KOTZEBUE QUARTERS AKA NANA SITE.—Lot 1B, Block 26, Tract A, Townsite of Kotzebue, U.S. Survey No. 2863 A, Kotzebue, Alaska, containing 1.29 acres recorded in the Kotzebue Recording District, Kotzebue, Alaska, on December 23, 1991.

SEC. 3. ENVIRONMENTAL LIABILITY.

(a) IN GENERAL.—Notwithstanding any other provision of Federal law, the Maniilaq Association shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination, including any oil or petroleum products, or any hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law, on any property described in section 2 on or before the date on which all of the properties described in section 2 were conveyed by quitclaim deed.

(b) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed as may be reasonably necessary to satisfy any retained obligations and liability of the Secretary.

(c) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—The Secretary shall comply with section 120(h)(3)(A) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)(A)).

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

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

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

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

There was no objection.

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume.

My bill, H.R. 443, directs the Indian Health Service to transfer 15 acres of Federal land in Alaska to the Maniilaq Association by warranty deed. The IHS has already conveyed these lands to the association by quitclaim deed; however, under Federal Indian health laws, transferring land by quitclaim deed could present some obstacles to the future use of the land by the association. The association is a nonprofit entity that runs Federal Indian health services for Native people in northwest Alaska. The land subject to this legislation is currently the site of a Native health facility and of proposed long-term care facilities and employee housing.

The administration testified in support of the land transfer, and we have heard no other objections to this bill which passed the House over a year ago by a 407–4 vote. The Senate amendment before us today makes four small technical changes to the bill, including changing verb tenses, clarifying the timing of the conveyance, and clarifying a definition. None are controversial and, some might say, even necessary.

I, again, thank Chairman UPTON of the Energy and Commerce Committee for allowing H.R. 443, a bill that we share jurisdiction over, to be considered on the floor today.

I urge the House to adopt the Senate amendment, and I reserve the balance of my time.

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

Madam Speaker, we do not object to the Senate amendment to H.R. 443, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Madam Speaker, I have no other requests for time. I urge the passage of the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 443.

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. GRIJALVA. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

INVESTIGATIVE ASSISTANCE FOR VIOLENT CRIMES ACT OF 2012

Mr. GOWDY. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2076) to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

In lieu of matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Investigative Assistance for Violent Crimes Act of 2012''.

SEC. 2. INVESTIGATION OF CERTAIN VIOLENT ACTS, SHOOTINGS, AND MASS KILLINGS.

(a) ATTORNEY GENERAL.—Title 28, United States Code, is amended—

(1) in section 530C(b)(1)(L)(i), by striking ''$2,000,000'' and inserting ''$3,000,000''; and

(2) in section 530C(b)(1), by adding at the end the following—

''(M)(i) At the request of an appropriate law enforcement official of a State or political subdivision, the Attorney General may assist in the

investigation of violent acts and shootings occurring in a place of public use and in the investigation of mass killings and attempted mass killings. Any assistance provided under this subparagraph shall be presumed to be within the scope of Federal office or employment.

''(ii) For purposes of this subparagraph—

''(I) the term 'mass killings' means 3 or more killings in a single incident; and

''(II) the term 'place of public use' has the meaning given that term under section 2332f(e)(6) of title 18, United States Code.''.

(b) SECRETARY OF HOMELAND SECURITY.—Section 875 of the Homeland Security Act of 2002 (6 U.S.C. 455) is amended by adding at the end the following:

''(d) INVESTIGATION OF CERTAIN VIOLENT ACTS, SHOOTINGS, AND MASS KILLINGS.—

''(1) IN GENERAL.—At the request of an appropriate law enforcement official of a State or political subdivision, the Secretary, through deployment of the Secret Service or United States Immigration and Customs Enforcement, may assist in the investigation of violent acts and shootings occurring in a place of public use, and in the investigation of mass killings and attempted mass killings. Any assistance provided by the Secretary under this subsection shall be presumed to be within the scope of Federal office or employment.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'mass killings' means 3 or more killings in a single incident; and

''(B) the term 'place of public use' has the meaning given that term under section 2332f(e)(6) of title 18, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. GOWDY) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

GENERAL LEAVE

Mr. GOWDY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the matter currently under consideration.

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

There was no objection.

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

Madam Speaker, violent crimes, especially mass killings, are often unpredictable and impulsive. The venues are random. The jurisdictions where these crimes take place include the smallest of towns, the least likely places for crimes of this magnitude and this depravity.

When we were drafting this bill months ago, Madam Speaker, of course we had hoped against hope that it would not be needed—not so soon, at least. We hoped it would sit on the sidelines, available but unused. Sadly, this is not the culture we live in, Madam Speaker. We have recently witnessed another example of the depth to which the human condition can sink.

In times like these, when State and local resources are stretched, Federal law enforcement is ready, willing, and able to assist. Indeed, they do assist, but they do so without statutory coverage. The manner and method of the assistance, Madam Speaker, is vast and varied. Most local police departments do not have criminal profilers. They may not have quick access to a world-class forensic lab, grand jury subpoenas, or the experience that comes from handling similar investigations in the past.

Law enforcement, Madam Speaker, is a particularly close-knit community, with State, local, and Federal agents working together sharing resources and expertise, working under very difficult circumstances to prevent crimes or quickly investigate and apprehend afterwards those who commit such crimes.

Madam Speaker, I have seen in my own prior career in South Carolina the willingness of Federal law enforcement to assist in kidnappings, murders, arson, and robberies.

Tragically, our country has seen the need for Federal law enforcement to assist in places as disparate as movie theaters, college campuses, and even elementary schools.

Federal law enforcement agencies and officers do not currently have specific statutory authority to assist in the investigations of mass killings, attempted mass killings, or other violent crimes that occur. Federal law enforcement officers frequently receive emergency requests for such assistance from State and local law enforcement agencies. And while this assistance is routinely provided, Madam Speaker, it is possible that Federal officers who provide such assistance could be found to be acting outside their scope of employment.

To correct this problem, H.R. 2076 specifically allows certain Federal agents to provide State and local law enforcement with the assistance requested when the violent act does not otherwise appear to violate Federal law. These Federal agents come from agencies such as the FBI, DEA, ATF, U.S. Marshal Service, Secret Service, and ICE. And while we hope and pray, Madam Speaker, and take affirmative steps to prevent such similar crimes in the future, this bill ensures that State and local police now can at least request the assistance of Federal law enforcement officers in similar situations, and do so fully covered by the law. This bill allows Federal law enforcement officers to provide an emergency response to critical situations where violent crimes have occurred or may remain in progress.

This bill is not an expansion, Madam Speaker, of Federal authority and does not expand the jurisdiction of any Federal law enforcement agency in any manner whatsoever. Any law enforcement assistance must be requested by a State or local authority and agreed to by the Federal authorities.

Last year, Madam Speaker, this bill passed the Judiciary Committee in the House with broad bipartisan support. Earlier this month, the Senate passed, by unanimous consent, this bill. This bill is supported by the FBI Agents Association and the Federal Law Enforcement Officers Association.

Madam Speaker, I urge my colleagues to concur in the Senate's amendment to this bill so that it may be sent to the President for his signature, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of the Senate amendment to H.R. 2076. The House originally passed this bill in September of 2001 by an overwhelming vote.

H.R. 2076 gives the Attorney General and the Secretary of Homeland Security the specific statutory authority to respond to requests from State and local law enforcement agencies for assistance in investigation of violent acts and shootings occurring in public places and in investigations of mass killings and attempted mass killings.

□ 1130

The House-passed version of the bill only applied to the FBI providing assistance. The Senate amended the bill to include all DOJ and Department of Homeland Security law enforcement agencies. Therefore, under the version of the bill before the House today, the Department of Justice's agencies, such as the FBI, DEA, Marshal Service and ATF, would be able to provide assistance, as would the Department of Homeland Security's law enforcement agencies, such as Secret Service and Immigration and Customs Enforcement, if requested by local and State law enforcement agencies.

These Federal agencies do not currently have the specific statutory authority to assist in the investigations of mass killings or attempted mass killings occurring in venues such as schools, colleges, universities, non-Federal office buildings, malls and/or other public places.

In particular, while the FBI continues to receive requests for such assistance from State and local law enforcement, and the FBI often does assist in such circumstances, there is presently technically no Federal statute that directly provides jurisdiction to the FBI to respond to such requests. Legislation granting the proposed investigative authority would allow these Federal agencies to provide State and local law enforcement with the assistance, if requested, even when the violent act does not technically violate a Federal law.

Unfortunately, due to the tragic shooting and killing of 20 students and six teachers in Newtown, Connecticut, the consideration of this bill is timely. Of course, we should pass the bill today so that the President may sign it into law. But, Madam Speaker, while we must take steps to assist in the investigation of such incidents, it is even more critical that we prevent them from occurring in the first place. Proposals to do that include not only legislation involving gun safety, but also

legislation such as the Youth Promise Act, which would provide funding for comprehensive juvenile justice initiatives, or additional funding for the Juvenile Accountability Block Grant, or the Campus Safety Act, which are all pending, as well as increased funding for mental health services and school counselors.

We simply must do all we can to protect our citizens, and these proposals must be enacted as soon as possible. But with respect to H.R. 2076, the bill before us today, I want to commend the gentleman from South Carolina (Mr. GOWDY) for his leadership on this bill and urge my colleagues to support the Senate amendment to H.R. 2076.

I yield back the balance of my time.

Mr. GOWDY. Madam Speaker, in conclusion, I just want to take this one final opportunity to thank Chairman SMITH for his leadership, not just on this particular bill, but his leadership throughout the 2-year tenure he was chairman of the Judiciary.

Mr. SCOTT of Virginia. Madam Speaker, I ask unanimous consent to reclaim my time.

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

There was no objection.

Mr. GOWDY. Madam Speaker, I reserve the balance of my time and the right to perhaps finish at the end.

Mr. SCOTT of Virginia. Thank you. And I apologize, I was not aware that I had additional speakers.

I yield such time as he may consume to the former chair of the Judiciary Committee, the ranking member, the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Madam Speaker, I am very quick to thank the former chairman of the Subcommittee on Crime, BOBBY SCOTT of Virginia, and of course Mr. TREY GOWDY of South Carolina for his very great contribution to H.R. 2076, as amended, that the House originally passed in 2011 by a vote of 358–9.

H.R. 2076 gives the Attorney General and the Secretary of Homeland Security the specific statutory authority to respond to requests from State and local law enforcement agencies for assistance in the investigation of violent acts and shootings occurring in public places, and in the investigation of mass killings and attempted mass killings. It's very appropriate, of course, under the recent circumstances that the leaders on both sides of the aisle have mentioned. So this bill, unfortunately, due to the tragic shooting in Newtown, the consideration of this bill is appropriately timely.

Of course we should pass the bill today so that the President may sign it into law, but it is unfortunate that we're not also sending the President even more urgently needed legislation to protect us from gun violence. While we must take steps to assist in the investigation of such incidents, it is critical that we prevent them from occurring in the first place. We're simply not doing all we can do to protect our citizens, but we celebrate that we have come this far.

So I urge my colleagues to support the Senate amendment to H.R. 2076.

Mr. GOWDY. I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, I yield such time as she may consume to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. First of all, I want to thank Mr. GOWDY very much for the attentiveness to this legislation and shepherding it so that it has come from the Senate and accepting the Senate amendment.

I am on Homeland Security, and I believe that the amendment that has been provided under this legislation originally, H.R. 2076, will expand your intent, and I believe that you believe it as well.

I think it is very important to emphasize that we now have extra investigatory skills and techniques and a collaborative effort between Homeland Security personnel and those in the Department of Justice to be utilized by the Homeland Security Secretary, and as well the Attorney General, helping to investigate violent acts or shootings that occur in venues such as schools, colleges, universities, non-Federal office buildings, and other places of public use. This includes mass killings that are three or more killings in a single incident.

We all recognize the tragedy of Newtown, but there are tragedies that have faced us over the last couple of years. The President indicated Newtown was the worst day of his administration, but compounded was the Aurora killings, the killings in the Sikh temple, and the acts of heinous murder that occurred in Houston, Texas, where a mother and her daughter were murdered on Christmas Eve. So there are times when the local authorities need immediate assistance.

Or the time when we had a child predator. Although this legislation may not define violent acts as such, I can tell you that the community felt violated when a number of children were preyed upon. Through the kindness and the understanding of the local FBI office in Houston and my persistence and the difficulty of coordinating with local authorities because of the sort of uncomfortableness of the involvement of the Federal Government, we overcame that and they participated, and shortly thereafter the predator was captured. Children are impacted, and that is why this legislation is enormously important.

I also want to take note of the fact that the gentleman from South Carolina is right that the FBI did not have statutory authority to assist in the investigation of mass killings or other violent crimes that are carried out in non-Federal public places such as schools and universities. We now have put forward this Federal law.

Madam Speaker, I rise today in support of H.R. 2076, the Investigative Assistance for Violent Crimes Act of 2011. This legislation is an appropriate and necessary measure to keep our citizens safe.

Currently the Federal Bureau of Investigation, FBI, does not have statutory authority to assist in the investigation of mass killings or other violent crimes that are carried out in non-federal public places, such as schools and universities. As of now, when the FBI is asked by state and local law enforcement to assist with related investigations, they frequently comply with the request, despite the possibility that in doing so, the responding officers may be found to be acting outside of their jurisdiction.

The Investigative Assistance for Violent Crimes Act grants specific authority to the FBI to respond when asked for help by state and local law enforcement, without expanding the jurisdiction of the FBI. The bill allows the FBI to assist in the investigation of a violent crime or mass killing only when asked to do so.

The FBI has lent their resources to several high profile investigations in recent history. Last September, when an armed intruder entered the Discovery Communications Building in Rockville, Maryland, the FBI SWAT team assisted the Montgomery County Police Department, and FBI investigators processed the crime scene. In 2009, the American Civic Center in Binghamton, New York was the site of a mass killing when an armed subject killed 13 people. The FBI was asked to assist, and lent their Evidence Response Team, Victim Assistance program, and Behavioral Analysis unit. The FBI also assisted in the investigation to identify the student who opened fire at Virginia Technical Institute in 2007.

The FBI lent invaluable assistance to state and local law enforcement to these and many other cases. However, as the law currently standards, there is no specific statutory authority allowing them to do so. The Investigative Assistance for Violent Crimes Act specifically authorizes, by legal statute, that which the FBI is consistently asked and expected to do.

This bill is an important measure aimed at increasing the safety and security of the American people. When faced with a mass killing or other violent crime, our state and local law enforcement officials should have access to every necessary resource in order to mitigate the situation, identify the perpetrators, and bring them to justice. In Houston, Texas, where I represent the 18th Congressional District, the FBI reports that 22,491 violent crimes in 2010. I know that my constituents would appreciate knowing that their local law enforcement officials have access to the resources of the FBI, should they need them.

As a senior Member of both the Judiciary and Homeland Security committees, I have worked tirelessly to ensure the safety of the American people, and this legislation does just that. I am pleased at the bipartisan manner in which this bill is being considered, and urge my colleagues to support H.R. 2076, the Investigative Assistance for Violent Crimes Act.

□ 1140

I think that is enormously important. Again, I congratulate the passage of this legislation, and I am particularly sensitive to the utilization of the SWAT team.

I will take a moment, just to deviate, to be able to thank the chairman of the

committee and the ranking member and the ranking member on the Crime Subcommittee for their commitment and interest in children. Today, we were going to further proceed with our commitment to children, and that is in the Juvenile Accountability Block Grant. But my fight will continue in the next term, and I want to thank you, Mr. SMITH, for understanding that the practical aspect of what we were doing was to save children and to prevent a youngster like this from not having a juvenile system that they could in fact have access to. It plays into some of what Mr. GOWDY is speaking about, but it plays into an earlier stage, and that is to ensure that there are court systems, there are mental health systems, there are a number of other systems that our juveniles can have access to that are intervention; that in fact we can take note of the fact that juveniles are bullied, that there's cyberbullying. But I believe it's important to stand to fight for another day.

So as we support the legislation of Mr. GOWDY, I want to be able to thank all of those who stood crying in a hearing in Houston, Texas, in the fall of 2010, fighting about whether or not this Federal Government would make a statement, a positive statement, about resources to help with bullying and the intervention of such, and to do it in a way that could be effectively utilized. I think we came up with that in H.R. 6019, in all the compromise that we came about, and frankly sometimes the English language is not perfect and people cannot understand what we are trying to do.

But to come back to this legislation, H.R. 2076 will be a good, fitting end for the Judiciary Committee, and in 2013 I look forward to working with my colleagues on the Juvenile Accountability Block Grant reauthorization so that critical issues such as youth violence, juvenile crime prevention, mental health screening and treatment, among others, that would help millions of children can be in place. If we can have a situation where we reauthorize what my original bill, H.R. 83, offered to do, I will be right there being enthusiastic. If we have to find a common place of compromise, I will be there as well, because that is what we are here to do, to work on behalf of the American people and the children that we represent.

It is important to note that we are doing something good in the Judiciary Committee. I hope that we will have the opportunity to work together more closely in 2013 and be able to do the good work that many of us have advocated and work with a number of groups and families who have been victims without the right kind of resources, which we were trying to implement.

With that, I want to submit into the RECORD a number of documents on my remarks that I have just made, and I ask my colleagues to support the legislation of Mr. GOWDY.

CONGRESS OF THE UNITED STATES,
Washington, DC.

Support H.R. 6019: The Juvenile Accountability Block Grant Reauthorization Act 2012

DEAR COLLEAGUE: I invite you to join me in supporting legislation that seeks to provide grants through the Department of Justice to States for the creation and operation of programs that address critical issues such as youth violence, juvenile crime prevention, and mental health screening and treatment, among others, which would help millions of children throughout our nation. H.R. 6019 reauthorizes the Juvenile Accountability Block Grants, JABG, and would allow a portion of those funds to also be used by States for a number of intervention programs.

H.R. 6019 authorizes the Attorney General to make grants to States and local governments to strengthen their juvenile justice systems and foster accountability within their juvenile populations. As previously stated, JABG funds support seventeen program purpose areas, allowing local governments to utilize funding for a variety of activities including hiring juvenile court judges, probation officers, and court-appointed defenders. Moreover, local governments will have access to funding for programs derived from evidence-based models and best practices that address, among other issues, those related to bullying and cyberbullying, including prevention and intervention.

I hope you will lend your support to this effort on behalf of our nation's children to create and support programs designed to address these critical issues and help create a better juvenile justice system in America. Together, we can do a great deal to ease and end the suffering of millions of children nationwide.

If you have any questions or need further information, please contact Janice Bashford at 202.225.3816, or, Janice.Bashford@mail.house.gov.

Very Truly Yours,

SHEILA JACKSON LEE,
Member of Congress.

CONGRESS OF THE UNITED STATES
WASHINGTON, DC.

BRIEF HISTORY OF THE JUVENILE ACCOUNTABILITY BLOCK GRANT

Originally created in 1997, Congress created the Juvenile Accountability Incentive Block Grant (JABG) program and appropriated new federal funds through the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

In 2002 and 2005, the program was reauthorized and the program was eventually renamed the Juvenile Accountability Block Grant (JABG) Program. Its most recent reauthorization occurred in 2006, with $350 million a year for FYs 2006 through 2009.

Now unauthorized, JABG still receives appropriations.

FY 2001 ($250 million appropriated by Congress)

FY 2002 ($250 million appropriated by Congress)

FY 2003 ($190 million appropriated by Congress)

FY 2004 ($60 million appropriated by Congress)

FY 2005 ($55 million appropriated by Congress)

FY 2006 ($50 million appropriated by Congress)

FY 2007 ($49 million appropriated by Congress)

FY 2008 ($52 million appropriated by Congress)

FY 2009 ($55 million appropriated by Congress)

FY 2010 ($55 million requested by President, $55 million appropriated by Congress)

FY 2011 ($40 million requested by President, $46 million appropriated by Congress)

FY 2012 (ZERO requested by President, $30 million appropriated by Congress)

FY 2013 ($30 million requested by President)

H.R. 6019 would authorize the appropriation of $40 million annually over the 2013–2017. Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 6019 would cost $121 million over the 2013–2017 period. PAYGO does not apply.

VOTE YES ON H.R. 6019

THE JUVENILE ACCOUNTABILITY BLOCK GRANT REAUTHORIZATION ACT OF 2012

Help Your Local Communities

17 JABG PROGRAM PURPOSE AREAS

1. Developing, implementing, and administering graduated sanctions for juvenile offenders.

2. Building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities.

3. Hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and funding pretrial services (including mental health screening and assessment) for juvenile offenders to promote the effective and expeditious administration of the juvenile justice system.

4. Hiring additional prosecutors so that more cases involving violent juvenile offenders can be prosecuted and case backlogs reduced.

5. Providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to help prosecutors identify and expedite the prosecution of violent juvenile offenders.

6. Establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime.

7. Establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders.

8. Establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and integrate administration of other sanctions and services for such offenders.

9. Establishing and maintaining a system of juvenile records designed to promote public safety.

10. Establishing and maintaining interagency information sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts.

11. Establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies.

12. Establishing and maintaining programs to conduct risk and needs assessments that facilitate effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment, to juvenile offenders.

13. Establishing and maintaining accountability-based programs that are designed to enhance school safety, which programs may include research-based bullying, cyberbullying, and gang prevention programs.

14. Establishing and maintaining restorative justice programs.

15. Establishing and maintaining programs to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism.

16. Hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel, to improve facility practices and programming.

17. Establishing, improving, and coordinating pre-release and post-release systems and programs to facilitate the successful reentry of juvenile offenders from state and local custody in the community.

Mr. GOWDY. I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, I have no further speakers. I would just like to again compliment the gentleman from South Carolina for his leadership on this. A lot of communities will benefit. I thank him for that work.

I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. GOWDY. Madam Speaker, in conclusion, and I'm sure on behalf of all my colleagues, I want to thank the women and men in law enforcement for their service, their sacrifice, their willingness to do jobs that either we cannot do or will not do.

I want to thank the gentleman from Texas (Mr. SMITH) for his leadership over the last 2 years, and I want to thank the gentleman from Virginia (Mr. SCOTT) for his collegiality and friendship.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. GOWDY) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2076.

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. SCOTT of Virginia. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

AMENDING THE ANIMAL WELFARE ACT

Mr. CRAWFORD. Madam Speaker, I move to suspend the rules and pass the bill (S. 3666) to amend the Animal Welfare Act to modify the definition of ''exhibitor''.

The Clerk read the title of the bill.

The text of the bill is as follows:

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

SECTION 1. ANIMAL WELFARE.

Section 2(h) of the Animal Welfare Act (7 U.S.C. 2132(h)) is amended by adding ''an owner of a common, domesticated household pet who derives less than a substantial portion of income from a nonprimary source (as determined by the Secretary) for exhibiting an animal that exclusively resides at the residence of the pet owner,'' after ''stores,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentleman from California (Mr. COSTA) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. CRAWFORD. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the bill under consideration.

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

There was no objection.

Mr. CRAWFORD. Madam Speaker, I rise in support of the bill, S. 3666, and yield myself such time as I may consume.

S. 3666 is a simple regulatory relief measure which has been proposed to modify the definition of the term ''exhibitor'' under the Federal Animal Welfare Act. It has passed the Senate by unanimous consent and, in the last hours of the 112th Congress, I urge that it likewise be passed by the House of Representatives.

The legislation would relieve private pet owners who might make a few dollars on the side with their pets but who do not derive a substantial portion of their income from such activities from the licensure requirements under the Federal Animal Welfare Act.

An example where this might be an issue is in hiring somebody to serve as an extra in a film. These are the people who appear in the background of film scenes and may work on the film set for a couple of hours at a time or a day or two at the most. If that person has their pet with them during the filming, the current interpretation of the Animal Welfare Act is that the extra would be designated an animal exhibitor under Federal law and must therefore be licensed, inspected, and comply with all the administrative and recordkeeping requirements of the act. This was not what the law intended nor is the administration of such a requirement a necessary or useful allocation of scarce Federal resources.

The Federal Animal Welfare Act was intended to regulate businesses, not private citizens. There are many examples across the government of regulatory overreach. While I regret that we have not been able to address all of those in the 112th Congress, certainly this is one we can agree needs fixing and should be fixed.

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

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

I want to thank the gentleman from Arkansas for his efforts with our colleagues in the Senate to pass this measure, S. 3666.

As was stated, this is a measure that involves common sense, and it attempts to relieve burdensome paperwork that frankly has no place under the current scheme in which movies are made in this country that require, without the relief of this measure, them to be included under the Federal Animal Welfare Act.

As was stated, movies and television shows often use animals as extras. We're used to seeing that. It's part of the way these movies are made. This bill amends the Animal Welfare Act to clarify that when pets are owned by individual citizens who are acting in that movie or in that television show that they should not be regulated by the U.S. Department of Agriculture when it comes to these animals being used as extras in films.

These animals should not be captured under the Animal Welfare Act regulations. The USDA, as we know, is spread pretty thin. It is using scarce resources to regulate personal pets, which now is required under the current law that this legislation will relieve that burden from. We think that the USDA should focus its resources on more cost-effective measures rather than regulating individual personal pets that are used in these movies or in these television shows as—the term of art is ''animal actors''; animals that play a key movie or television role will not be affected by this legislation. They will continue to be regulated by the Animal Welfare Act. This is, as I said at the outset, a commonsense regulatory relief of burdensome paperwork. I would ask my colleagues to support this measure.

□ 1150

S. 3666 is, I think, a well-thought-out measure. I want to thank, again, the gentleman from Arkansas and the committee for their efforts on this measure and ask their support for the bill.

I yield back the balance of my time.

Mr. CRAWFORD. Madam Speaker, I thank the gentleman from California, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, S. 3666.

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.

WORLD WAR I CENTENNIAL COMMISSION ACT

Mr. CHAFFETZ. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 6364) to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the

service of members of the United States Armed Forces in World War I, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''World War I Centennial Commission Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Establishment of World War I Centennial Commission.
Sec. 5. Duties of Centennial Commission.
Sec. 6. Powers of Centennial Commission.
Sec. 7. Centennial Commission personnel matters.
Sec. 8. Termination of Centennial Commission.
Sec. 9. Prohibition on obligation of Federal funds.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) From 2014 through 2018, the United States and nations around the world will mark the centennial of World War I, including the entry of the United States into the war in April 1917.

(2) America's support of Great Britain, France, Belgium, and its other allies in World War I marked the first time in United States history that American soldiers went abroad in defense of liberty against foreign aggression, and it marked the true beginning of the ''American century''.

(3) Although World War I was at the time called ''the war to end all wars'', in fact the United States would commit its troops to the defense of foreign lands 3 more times in the 20th century.

(4) More than 4,000,000 men and women from the United States served in uniform during World War I, among them 2 future presidents, Harry S. Truman and Dwight D. Eisenhower. Two million individuals from the United States served overseas during World War I, including 200,000 naval personnel who served on the seas. The United States suffered 375,000 casualties during World War I, including 116,516 deaths.

(5) The events of 1914 through 1918 shaped the world, the United States, and the lives of millions of people.

(6) The centennial of World War I offers an opportunity for people in the United States to learn about and commemorate the sacrifices of their predecessors.

(7) Commemorative programs, activities, and sites allow people in the United States to learn about the history of World War I, the United States involvement in that war, and the war's effects on the remainder of the 20th century, and to commemorate and honor the participation of the United States and its citizens in the war effort.

SEC. 3. DEFINITIONS.

In this Act—

(1) AMERICA'S NATIONAL WORLD WAR I MUSEUM.—The term ''America's National World War I Museum'' means the Liberty Memorial Museum in Kansas City, Missouri, as recognized by Congress in section 1031(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2045).

(2) CENTENNIAL COMMISSION.—The term ''Centennial Commission'' means the World War I Centennial Commission established by section 4(a).

(3) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 4. ESTABLISHMENT OF WORLD WAR I CENTENNIAL COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the ''World War I Centennial Commission''.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Centennial Commission shall be composed of 12 members as follows:

(A) Two members who shall be appointed by the Speaker of the House of Representatives.

(B) One member who shall be appointed by the minority leader of the House of Representatives.

(C) Two members who shall be appointed by the majority leader of the Senate.

(D) One member who shall be appointed by the minority leader of the Senate.

(E) Three members who shall be appointed by the President from among persons who are broadly representative of the people of the United States (including members of the Armed Forces, veterans, and representatives of veterans service organizations).

(F) One member who shall be appointed by the executive director of the Veterans of Foreign Wars of the United States.

(G) One member who shall be appointed by the executive director of the American Legion.

(H) One member who shall be appointed by the president of the Liberty Memorial Association.

(2) TIME FOR APPOINTMENT.—The members of the Centennial Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Centennial Commission.

(4) VACANCIES.—A vacancy in the Centennial Commission shall be filled in the manner in which the original appointment was made.

(c) MEETINGS.—

(1) INITIAL MEETING.—

(A) IN GENERAL.—Not later than 30 days after the date on which all members of the Centennial Commission have been appointed, the Centennial Commission shall hold its first meeting.

(B) LOCATION.—The location for the meeting held under subparagraph (A) shall be the America's National World War I Museum.

(2) SUBSEQUENT MEETINGS.—

(A) IN GENERAL.—The Centennial Commission shall meet at the call of the Chair.

(B) FREQUENCY.—The Chair shall call a meeting of the members of the Centennial Commission not less frequently than once each year.

(C) LOCATION.—Not less frequently than once each year, the Centennial Commission shall meet at the America's National World War I Museum.

(3) QUORUM.—Seven members of the Centennial Commission shall constitute a quorum, but a lesser number may hold hearings.

(d) CHAIR AND VICE CHAIR.—The Centennial Commission shall select a Chair and Vice Chair from among its members.

SEC. 5. DUTIES OF CENTENNIAL COMMISSION.

(a) IN GENERAL.—The duties of the Centennial Commission are as follows:

(1) To plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I.

(2) To encourage private organizations and State and local governments to organize and participate in activities commemorating the centennial of World War I.

(3) To facilitate and coordinate activities throughout the United States relating to the centennial of World War I.

(4) To serve as a clearinghouse for the collection and dissemination of information about events and plans for the centennial of World War I.

(5) To develop recommendations for Congress and the President for commemorating the centennial of World War I.

(b) REPORTS.—

(1) PERIODIC REPORT.—Not later than the last day of the 6-month period beginning on the date of the enactment of this Act, and not later than the last day of each 3-month period thereafter, the Centennial Commission shall submit to Congress and the President a report on the activities and plans of the Centennial Commission.

(2) RECOMMENDATIONS.—Not later than 2 years after the date of the enactment of this Act, the Centennial Commission shall submit to Congress and the President a report containing specific recommendations for commemorating the centennial of World War I and coordinating related activities.

SEC. 6. POWERS OF CENTENNIAL COMMISSION.

(a) HEARINGS.—The Centennial Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Centennial Commission considers appropriate to carry out its duties under this Act.

(b) POWERS OF MEMBER AND AGENTS.—If authorized by the Centennial Commission, any member or agent of the Centennial Commission may take any action which the Centennial Commission is authorized to take under this Act.

(c) INFORMATION FROM FEDERAL AGENCIES.—The Centennial Commission shall secure directly from any Federal department or agency such information as the Centennial Commission considers necessary to carry out the provisions of this Act. Upon the request of the Chair of the Centennial Commission, the head of such department or agency shall furnish such information to the Centennial Commission.

(d) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Centennial Commission, the Administrator of the General Services Administration shall provide to the Centennial Commission, on a reimbursable basis, the administrative support services necessary for the Centennial Commission to carry out its responsibilities under this Act.

(e) CONTRACT AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Centennial Commission is authorized—

(A) to procure supplies, services, and property; and

(B) to make or enter into contracts, leases, or other legal agreements.

(2) LIMITATION.—The Centennial Commission may not enter into any contract, lease, or other legal agreement that extends beyond the date of the termination of the Centennial Commission under section 8(a).

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

(g) GIFTS, BEQUESTS, AND DEVISES.—The Centennial Commission shall accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of covering the costs incurred by the Centennial Commission to carry out its duties under this Act.

SEC. 7. CENTENNIAL COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Members of the Centennial Commission shall serve without compensation for such service.

(b) TRAVEL EXPENSES.—Each member of the Centennial Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with the applicable provisions of title 5, United States Code.

(c) STAFF.—

(1) IN GENERAL.—The Chair of the Centennial Commission shall, in consultation with the members of the Centennial Commission, appoint an executive director and such other additional personnel as may be necessary to enable the Centennial Commission to perform its duties.

(2) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Chair of the Centennial Commission may fix the compensation of the executive director and any other personnel appointed under paragraph (1).

(B) LIMITATION.—The Chair of the Centennial Commission may not fix the compensation of the executive director or other personnel appointed under paragraph (1) at a rate that exceeds the rate of payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(C) WORK LOCATION.—If the city government for Kansas City, Missouri, and the Liberty Memorial Association make space available in the building in which the America's National World War I Museum is located, the executive director of the Centennial Commission and other personnel appointed under paragraph (1) shall work in such building to the extent practical.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Centennial Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any employee of that department or agency to the Centennial Commission to assist it in carrying out its duties under this Act.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chair of the Centennial Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(f) SOURCE OF FUNDS.—Gifts, bequests, and devises of services or property, both real and personal, received by the Centennial Commission under section 6(g) shall be the only source of funds to cover the costs incurred by the Centennial Commission under this section.

SEC. 8. TERMINATION OF CENTENNIAL COMMISSION.

(a) IN GENERAL.—The Centennial Commission shall terminate on the earlier of—

(1) the date that is 30 days after the date the completion of the activities under this Act honoring the centennial observation of World War I; or

(2) July 28, 2019.

(b) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities of the Centennial Commission under this Act.

(2) EXCEPTION.—Section 14(a)(2) of such Act shall not apply to the Centennial Commission.

SEC. 9. PROHIBITION ON OBLIGATION OF FEDERAL FUNDS.

No Federal funds may be obligated to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. CHAFFETZ. Madam Speaker, at this time, I would like to yield such time as he may consume to the original sponsor of this bill, the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman from Utah for yielding and for his support on this legislation. I also thank the gentlewoman from the District of Columbia.

Madam Speaker, they said that World War I would be ''the war to end all wars.'' But it wasn't. It was a world war and encompassed the entire globe and most of the countries in the world.

The war started in 1914, and the United States entered in April of 1917. The United States entered the war for three main reasons: one, the sinking of the British liner Lusitania and 128 Americans being killed in that submarine attack; and then seven U.S. Merchant Marine ships were sunk by German submarines when they had unconditional rights to sink any ship on the high seas, according to the German Government; and the third thing was when the Germans sent the Zimmerman telegram to Mexico.

Madam Speaker, a lot of Americans don't know what that was, but basically the Germans were telling the country of Mexico if they would enter the war on the side of Germany, the central powers, that they would help Mexico invade the United States and take the States of Texas, New Mexico and Arizona and give them to the country of Mexico. So the United States entered the war in April 1917.

H.R. 3159 would create a commission to commemorate the 100th anniversary of World War I. Over 116,000 Americans died in World War I. That's more than in Korea, Vietnam, and both Iraq wars and Afghanistan combined.

Madam Speaker, to my left is a photograph of American doughboys, as they were called because of the color of their uniform, going over out of a trench, ''over the top'' as it was called in World War I. They were primarily teenagers. Like in most of our wars, the teenagers go to fight those wars. And they are leaving the trench going into what is called ''no man's land.'' And those Americans served, along with their allies in World War I.

Two U.S. Presidents served in World War I, Harry Truman and Dwight Eisenhower. And if World War II veterans were known as the Greatest Generation, then World War I veterans should be known as the Selfless Generation. After all, these World War I veterans—the ones that survived—were the fathers of the Greatest Generation.

America's last doughboy was Frank Buckles. He died on February 26, 2011. He was 110 years of age. I got to know Frank Buckles when he came to the United States Capitol on some legislation that I will talk about momentarily. Frank Buckles in World War I was too young to join. Nobody would let him in. He went from recruiter to recruiter. He was 16—he might have been 15—but he lied about his age, and he finally convinced an Army recruiter to take him in. He joined the doughboys, and he went ''Over There,'' that song that George Cohan wrote talking about the Americans that wouldn't ''come back 'till it's over, over there.''

He drove an ambulance in World War I helping rescue other doughboys that were wounded out here in no man's land and some that had died bringing them back behind the lines. After the Great War was over with, he was in the Philippines when World War II started. And, sure enough, he's captured by the Japanese. Frank Buckles was held in a prisoner-of-war camp by the Japanese for 3½ years, and he was finally released when rescued by Americans who liberated the Philippines.

After the war, he moved to West Virginia and he worked on the farm until he was 106 driving the tractor. Frank Buckles, the last surviving doughboy, lived half of our Nation's history. So, today, we have an opportunity to remember Frank Buckles, these doughboys, other doughboys, and all those great Americans who fought for America 100 years ago.

The bill establishes a commission to commemorate the centennial of World War I. The commission will plan programs and activities to commemorate the 100th anniversary of that Great War. Time is short. The centennial for the start of World War I is in 2014, and many of our allies have already started planning different events. It must be noted that no Federal funds will be spent for this commission—they have to raise their own money from private funds.

Madam Speaker, in the last century, there were four great wars where Americans participated, and we have built memorials on the Mall for all of them, except one. We built a memorial for the Vietnam veterans, the Korean veterans and the World War II veterans; but there is no memorial on the Mall for all of those doughboys that served in World War I. There is a D.C. memorial that recognizes and honors the D.C. soldiers and sailors that served in World War I, but there is no great memorial for all that served throughout the United States.

It is my hope and the intent of the original legislation that passed the House that there one day will be a national World War I memorial on the Mall.

And that's where I met Frank Buckles. He came to Washington, D.C., as the guest of many of our Senators. And it was his hope, and really it was one of his dying wishes, that we would build, that Congress would authorize the building of a memorial on the Mall for all of those that served in the great World War I. The original bill that passed this House by unanimous vote had that memorial in the bill. It went to the Senate, and now we have only the commission.

So it is my intent to reauthorize, or reoffer, that bill in our next session of Congress, and I'd encourage the commission to consider this building of a memorial on the Mall in their commemoration. There would be no better way to commemorate these brave Americans than to honor them with a memorial on the Mall.

When one of our warriors dies, Madam Speaker, for our country, they become a casualty of war; but the worst casualty of war is to be forgotten. So I hope we would build that memorial on the Mall. But now let's pass this bill to commemorate them and honor them with this commission.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of this important legislation. H.R. 6364 establishes a commission to ensure that there is suitable observation of the centennial of World War I. This bill is a fitting tribute to all servicemembers who valiantly fought in all theaters of World War I.

The commission the bill establishes leaves ample time for appropriate commemorative works, events, and a tribute before the 100th anniversary of the war in 2014.

I would like to thank my colleagues, but especially Representative TED POE, who has been singularly focused on this bill and who has worked with me and with others until this day, and I certainly pledge to work with him next year as he continues on this very laudable mission. I thank also my friend, EMANUEL CLEAVER of Missouri, ROB BISHOP of Utah, and RAÚL GRIJALVA of Arizona for working with me to preserve the District of Columbia World War I memorial in particular.

□ 1200

Earlier this year, in his search for a suitable memorial for World War I, Representative TED POE introduced H.R. 938, which would have nationalized the D.C. memorial by redesignating it as the District of Columbia and National World War I Memorial. He made clear, however, that he was not necessarily focused on the D.C. memorial, but that his goal was a World War I memorial here.

While I very much support commemorating all the servicemen and -women who fought in World War I, I had to oppose altering the integrity of the D.C. memorial. The D.C. memorial was built with the blood and treasure of D.C. residents only, including funds from schoolchildren. Of the more than 26,000 D.C. residents who served in World War I, the 499 who died, more than the number from three States, have their names engraved on the memorial. Our memorial is deeply symbolic of the historic and continuing concerns of District residents, particularly our veterans who continue to serve without equal congressional representation, equal rights as citizens, and equal local government control.

In the spirit of cooperation among Members of both parties, the House-passed version of H.R. 6364 would have protected the D.C. War Memorial, and H.R. 6364 as amended by the Senate similarly will have no effect on the D.C. War Memorial. In fact, all of the provisions regarding memorials have been removed from the bill. Instead, it establishes a commission to observe World War I across the country as we approach the centennial of the start of the war. I believe that the reason that this has been done reflects nothing more than the fact that the commission's approach to two important commemorations has been the usual approach almost always to important commemorations, and World War I had enormous effects on those who fought, on the Nation and on the world.

More than 4 million men and women from the United States served in uniform during World War I. Among them, two future Presidents: Harry S. Truman and Dwight D. Eisenhower. Two million men and women from the United States served overseas during World War I. The United States suffered 375,000 casualties during that war, including 116,516 deaths.

The national commission will plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I throughout the United States. Importantly, not only here, but throughout the United States, people are anxious to learn more about the history of this war, to become involved in its commemoration, especially considering the effects of this war on the 20th century until today. We very much look forward to the commission's efforts to honor the participation and sacrifices of the United States and its citizens in the war effort.

And once again, I want to thank Representative POE for the extraordinary effort and energy he has put into this bill and the way he has worked cooperatively with all of us on both sides of the aisle.

Madam Speaker, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I have no additional speakers, and I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I would like to again thank Representative POE from the State of Texas for introducing this legislation and his tenacious pursuit of making this happen.

The bill is bipartisan in its approach. It creates a means for properly commemorating the centennial of the Great War in honoring those who gallantly fought. I would encourage my colleagues to vote in concurrence with the Senate amendment to H.R. 6364 and remind people that no taxpayer dollars will be used to carry out this act.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 6364.

The question was taken.

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

Ms. NORTON. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

CONDEMNING NORTH KOREAN MISSILE LAUNCH

Ms. ROS-LEHTINEN. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 145) calling for universal condemnation of the North Korean missile launch of December 12, 2012, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 145

Whereas United Nations Security Council Resolution 1695, unanimously adopted on July 15, 2006, following a series of North Korean missile firings on July 5, 2006, specifically condemned the Democratic People's Republic of Korea's (North Korea) recent test-firing of a series of missiles, and demanded that the North-East Asian country suspend all ballistic missile related activity and reinstate its moratorium on missile launches;

Whereas United Nations Security Council Resolution 1695 also required all Member States, in accordance with their national legal authorities and legislation and consistent with international law, to exercise vigilance and prevent missile and missile-related items, materials, goods, and technology being transferred to North Korea's missile or weapons of mass destruction (WMD) programmes, and to prevent the procurement of missiles or missile related-items, materials, goods, and technology from North Korea, and the transfer of any financial resources in relation to North Korea's missile or WMD programmes;

Whereas United Nations Security Council Resolution 1718, adopted on October 14, 2006, decided that North Korea shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launching;

Whereas United Nations Security Council Resolution 1718 also imposed a ban on the sales of military equipment and luxury goods to North Korea as well as a ban on technology transfers;

Whereas United Nations Security Council Resolution 1718 further required Member States to prevent the travel of North Korean officials connected to the ballistic missile or nuclear programs, the inspection of cargo from North Korea to assure it was not missile, WMD, or nuclear-related, and the immediate freezing of funds, other financial assets, and economic resources that support these illicit North Korean activities;

Whereas United Nations Security Council Resolution 1874, adopted on June 12, 2009, called upon Member States to inspect, seize, and dispose of proscribed illicit North Korea items related to its missile, nuclear, and

WMD programmes and to prevent the provision of financial services or the transfer to, through, or from their territory of any financial or other assets or resources that could contribute to North Korea's nuclear-related, ballistic missile-related, or other WMD-related programmes or activities, and by denying fuel or supplies to service the vessels carrying them;

Whereas, on December 12, 2012, in flagrant defiance of past United Nations Security Council resolutions, the international community, and its Six-Party partners, North Korea launched a three-stage, long-range missile, which overflew Japanese territory near Okinawa and dropped debris into the Yellow Sea, the East China Sea, and waters adjacent to the Philippines;

Whereas North Korea's latest provocative and defiant action represents a direct threat to the United States Armed Forces in the Asia/Pacific region and regional allies and friends, including Australia, Japan, the Philippines, the Republic of Korea, Singapore, and Taiwan and is a potential future threat to the United States and its people, including those residing in Guam, Hawaii, Alaska, and the west coast of the United States mainland; and

Whereas there has been extensive cooperation on missile development and military cooperation between the Governments of North Korea and Iran that dates back to the 1980s: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the North Korean missile launch of December 12, 2012, represents a flagrant violation of United Nations Security Council resolutions 825 (1993), 1540 (2004), 1695 (2006), 1718 (2006), and 1874 (2009), that North Korea continues to defy the United Nations, its Six-Party partners, and the international community, and that the Member States should immediately impose sanctions covered by these resolutions and censure North Korea;

(2) all current restrictions against the Government of North Korea, including sanctions that ban the importation into the United States of North Korean products and goods, should remain in effect until the Government of North Korea no longer engages in activities that threaten United States interests and global peace and stability;

(3) the Government of China should cooperate with the United States in pursuit of a new round of United Nations Security Council sanctions, to pressure its North Korean partner, redouble its efforts to prevent Chinese companies from transferring military and dual-use technologies to North Korea, and to crack down on transshipments through China that relate to North Korean military, missile, and nuclear programs and proliferation activities; and

(4) North Korea should abandon and dismantle its provocative missile and nuclear weapons programs, cease its proliferation activities, and come into immediate compliance with all relevant international agreements and United Nations Security Council resolutions.

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

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

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

There was no objection.

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

I rise to support this strongly bipartisan measure which condemns the latest provocation by North Korea. Pyongyang has once again flagrantly violated past United Nations Security Council resolutions and the assurances given to Six-Party partners.

I would also like to take this opportunity, Mr. Speaker, to sincerely congratulate President-elect Park for her victory in South Korea's hard-fought presidential election.

The Republic of Korea is one of our Nation's closest friends in Asia. Ours is a steadfast alliance forged in the crucible of war. Two decades ago, with all eyes on Europe, the United States prematurely celebrated victory over communism and an end to the Cold War. But in 1989, the same year the Berlin Wall fell, tanks rolled into Tiananmen Square, crushing, in a bloody massacre, the democracy movement of the Chinese people. So while communism fell in Europe, it was revitalized in the world's most populous nation and preserved in North Korea and in my native homeland of Cuba.

Pyongyang's recent missile launch awakens America to the fact that the shadow of communism still casts a long shadow over Asia. North Korea's expanding nuclear and missile proliferation threaten not only our allies in the Pacific, but potentially our own people as well. In Asia, the Cold War never ended, and the United States and South Korean forces stand guard together on this last frontier.

Attempts to engage Pyongyang over the past 4 years have been met with repeated provocations: the kidnapping of two American journalists, repeated missile launches, one more nuclear test, the sinking of a South Korean naval vessel with the loss of 46 lives, and the shelling of a South Korean island.

□ 1210

How much more should we endure before we say, Enough is enough?

Sweet-talking Pyongyang only seems to inspire further belligerence. Our extended hand is met not only with a clenched fist but a fist grasping a knife. Those who had hoped for openness and reform from this new generation of the Kim dynasty saw their dreams go up in smoke on a North Korean launch pad. The only answer appears to be a coordinated, firm, international strategy in which current sanctions are reinforced and strengthened. This, of course, requires the cooperation of Beijing, a U.N. Security Council permanent member who deceptively seems to tell one thing to Washington and yet another to Pyongyang.

Press articles hailed the fact that China, in anticipation of the recent launch, had begun inspecting cargo on North Korean ships in search of contraband. The question this raises is: Why has China not been inspecting North Korean ships since 2006, as was first called for in a U.N. resolution, which was reinforced by another resolution in the year 2009? If U.N. member states would only enforce the sanctions currently on the books, North Korea would be unable to ignore the international community and the civilized world.

The time for coordinated international action is now. The time, in fact, is long overdue.

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

Mr. BERMAN. Mr. Speaker, I rise in strong support of H. Con. Res. 145, as amended, and I yield myself such time as I may consume.

I would like to thank the sponsor of this legislation, the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for her leadership on this issue and for her work in addressing the North Korean threat.

Earlier this month, North Korea carried out a missile launch using ballistic missile technology in direct defiance of the international community. This important resolution condemns North Korea's launch, and it calls on the North to live up to its commitments, to adhere to its international obligations and to deal peacefully with its neighbors.

North Korea's missile launch is a blatant violation of U.N. Security Council resolutions 1718 and 1874, and we urge the Security Council to take strong and concerted action to demonstrate that Pyongyang's actions are completely unacceptable. In particular, we call on China and Russia to work constructively with other members of the Council to show that the international community is united in condemning North Korea's provocative behavior.

North Korea is only further isolating itself with its irresponsible action, and the development of ballistic missiles and nuclear weapons will never bring the real security and acceptance by the international community that the regime so desperately wants. Instead of pouring hundreds of millions of dollars into its so-called space program, nuclear programs, and massive military, North Korea should instead work to feed its own citizens and improve its dismal economy.

We must continue to remain vigilant in the face of North Korean provocations and fully committed to the security of our allies in the region, so I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. I would like to yield such time as he may consume to the gentleman from California (Mr. ROYCE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade and the chairman-designate of the full committee in the next Congress. I thank

him for his leadership on this and many of the issues that are facing our Foreign Affairs Committee.

Mr. ROYCE. Thank you very much, Chairman, for yielding.

I rise in support of this resolution, of which I am an original cosponsor.

I think Members are very rightly concerned now, as the same technology that's used to put a satellite into space is also used to launch a ballistic missile. This experiment by North Korea is definitely an advance for them. It is definitely a threat to the region. It is definitely a threat to the United States because what we're talking about here are three-stage ICBMs.

It is estimated that North Korea has spent $3 billion since 1998 on that missile program, which is the amount of money that would have bought enough corn to feed that country over the last 3 years. I have been to North Korea, and I've seen the malnutrition. Instead of feeding its people, it continues to plow billions of dollars into its military. That's the type of despicable regime we're dealing with—where $3 billion went into this project instead of feeding the population. This is why the House has passed legislation to prohibit the United States from giving food aid to North Korea. When we do so, money is fungible, and we have found in the past that that aid is both used to feed the military and it's sold on the exchange for hard currency.

U.S. policy towards North Korea—hoping that North Korea will give up its weapons for aid—has been a failure. It has been a bipartisan failure, frankly, for decades, and it has gotten us now to this point. The hope that North Korea can be induced to abandon its ambitions for nuclear weapons and missiles distracts us, unfortunately. It distracts us from pursuing the very policies that might actually change the behavior of the regime and support its people.

In going forward, we need to move away from an unimaginative policy here to one with energy and creativity and focus. Let's tackle North Korea's illicit activities—its missile and drug proliferation, its counterfeiting of U.S. currency. This regime will do anything for money. As many North Koreans who have left will tell you, this is a gangster regime. Let's interfere with those shipments and disrupt the bank accounts that are used. Let's ramp up radio broadcasts into the country where there is evidence that the information wall is cracking. We see that with the defectors who are telling us about how much they oppose the regime now. Let's help the refugees who are literally dying to escape the prison north of the 38th parallel.

Severely weakening the regime is the only way to make the Korean peninsula secure. Until it was dropped in favor of a failed diplomacy program several years ago, the Treasury Department went after North Korea. If we can remember 2006, we went after North Korea's ill-gotten gains that were parked in a Macau bank. We put the brakes on North Korea's counterfeiting of U.S. currency. We cut the flow of currency to the regime. The head of state could not pay his generals. It created a crisis inside North Korea.

That policy was mistakenly dropped. I'd like to see it reapplied. Let's go back to where we are proactively defending U.S. interests instead of just condemning another North Korean provocation every few months. Let's do something that has been proven to work in terms of putting the pressure on North Korea.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 145, 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. BERMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 1220

CONDEMNING IRAN FOR PERSECUTION OF BAHA'I MINORITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 134) condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 134

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, and 2009, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i faith;

Whereas the Department of State 2011 International Religious Freedom Report stated that the Government of Iran ''prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination that followers of other religions do not face'' and that ''Baha'is are barred from all leadership positions in the government and military'';

Whereas the Department of State 2011 International Religious Freedom Report stated, ''Baha'is are banned from the social pension system. In addition, Baha'is are regularly denied compensation for injury or criminal victimization and the right to inherit property. Baha'i marriages and divorces are not officially recognized, although the government allows a civil attestation of marriage to serve as a marriage certificate.'';

Whereas the Department of State July-December 2010 International Religious Freedom Report stated, ''Since the 1979 Islamic Revolution, the government has killed more than 200 Bahai's and regularly raids and confiscates their property . . . Unknown assailants vandalized cemeteries and holy places, and school authorities denigrated and abused Baha'i students in primary and secondary schools in at least 10 cities.'';

Whereas the Department of State July-December 2010 International Religious Freedom Report stated, ''Public and private universities continued to deny admittance to or expel Baha'i students.'';

Whereas on September 15, 2011, the United Nations Secretary-General issued a special report on human rights in Iran (A/66/361), stating, ''Restrictions on the overall enjoyment of human rights by unrecognized religious minorities, particularly the Baha'i community, remain of serious concern.'';

Whereas on September 23, 2011, the ''United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran'', issued a report (A/66/374), noting that ''[a] number of individuals and organizations provided the Special Rapporteur with first-hand testimonies, the preponderance of which presents a pattern of systemic violations of . . . fundamental human rights'' in Iran, and expressed concern regarding reports of ''human and civil rights violations'' against minority groups, including ''the Bahai community, which, despite being the largest non-Muslim religious minority, does not enjoy recognition as such by the Government'' and whose members ''have historically suffered multifaceted discrimination'';

Whereas on November 21, 2011, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/66/L.56) noting ''[i]ncreased persecution and human rights violations against unrecognized religious minorities, particularly members of the Baha'i Faith, including escalating attacks on Baha'is and their defenders, including in State-sponsored media, a significant increase in the number of Baha'is arrested and detained, including the targeted attack on the Baha'i educational institution, the reinstatement of twenty-year sentences against seven Baha'i leaders following deeply flawed legal proceedings, and renewed measures to deny Baha'is employment in the public and private sectors.'';

Whereas on December 19, 2011, the United Nations General Assembly adopted a resolution (A/RES/66/175) calling upon the Government of Iran ''[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities'';

Whereas in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the members of the ad hoc leadership group for the Baha'i community in Iran;

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the 7 Baha'i leaders to 20-year prison terms on charges of spying for Israel, insulting religious sanctities, and propaganda against the regime;

Whereas the lawyers for the 7 leaders were reportedly provided extremely limited access to the prisoners and their files;

Whereas these 7 Baha'i leaders were targeted solely on the basis of their religion;

Whereas beginning on May 22, 2011, officials of the Government of Iran in Tehran, Karaj, Isfahan, and Shiraz raided the homes of individuals associated with the Baha'i Institute for Higher Education, searching over 30 homes, seizing educational materials, and arresting approximately 16 individuals;

Whereas, in October 2011, Mr. Vahid Mahmoudi, Mr. Mahmoud Badavam, Ms. Noushin Khadem, Mr. Kamran Mortezaie, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie were each sentenced to 4 or 5-year prison terms for the crime of ''membership in the deviant Baha'i sect, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country,'' and, in January 2012, Mr. Mahmoudi was released on probation;

Whereas ordinary Iranian citizens who belong to the Baha'i Faith are disproportionately targeted, interrogated, and detained under the pretext of national security;

Whereas the efforts of the Government of Iran to collect information on individual Baha'is are reportedly ongoing as evidenced by a letter, dated November 5, 2011 from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to ''subtly and in a confidential manner'' collect information on Baha'i students;

Whereas the Baha'i community continues to undergo intense economic and social pressure, including an ongoing campaign in the town of Semnan where the government reportedly has harassed and detained Baha'is and closed 17 Baha'i owned businesses in the last three years;

Whereas the Government of Iran is party to the International Covenants on Human Rights; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195) urges the President and the Secretary of State to impose sanctions on ''the officials of the Government of Iran and other individuals who are responsible for continuing and severe violations of human rights and religious freedom in Iran'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven leaders, the six imprisoned educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize measures, such as those available under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Executive Order 13553, to sanction officials of the Government of Iran and other individuals directly responsible for egregious human rights violations in Iran, including against the Baha'i community.

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

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of House Resolution 134 introduced by my good friend and colleague from Illinois (Mr. DOLD).

House Resolution 134 condemns the Iranian regime's persecution of Iran's Baha'i minority. Baha'is are the largest non-Muslim minority in Iran, numbering over 300,000 members in Iran alone. This resolution marks the 12th congressional action urging the Iranian regime to end its persecution of the Baha'i minority. And still, Baha'is do not have the freedom to practice their religion. In fact, restrictions on Baha'is extend far beyond their religious practices to further restrict their civil rights and human rights. Many members of the Baha'i faith living in Iran are even subject to harassment, to persecution by the regime, and others with extensive reports of confiscation of property, restrictions on travel, and raids on Baha'i homes and businesses. The Iranian Government continues to arrest and detain Baha'is based on their religious beliefs, with at least 60 cases logged last year alone.

The members of the national leadership of the Baha'i in Iran, arrested in 2008 and unfairly tried with minimal access to their defense attorneys, are now serving a 20-year sentence for crimes, crimes including insulting religious sanctities and propaganda against the regime. The government maintains possession of many Baha'i properties that were seized following the 1979 revolution, including holy places, cemeteries, and historical sites. Many of those properties have now been destroyed.

Baha'is are barred from leadership positions in the government and are only permitted to enroll in schools if they do not identify themselves to be Baha'i and are required to identify as members of another religion in order to register for their entrance examinations. Many Baha'is are denied admission to the universities, and even those who are admitted may face expulsion due to their faith.

The Baha'i Institute for Higher Education, established after Baha'is were barred from attending other universities, was declared illegal this year and six educators from that institute are currently imprisoned in Iran.

These are just a fraction of the injustices that the Baha'is face at the hands of the Iranian regime. The regime has sought to make life as a Baha'i in Iran simply unlivable. They seek to take away aspects of everyday life that you and I would consider fundamental, inalienable rights.

This resolution draws attention to their plight and calls on the Iranian regime to end its campaign of abuse against the Baha'is. It condemns the Iranian regime for the persecution of the Baha'is and calls on the regime to immediately release the Baha'is that it wrongfully holds in captivity, including the seven Baha'i leaders and the six Baha'i educators; and it calls for the President and the Secretary to publicly express the same sentiments.

Finally, the resolution urges the President and the Secretary of State to use measures already enacted into law under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to sanction Iranian officials responsible for human rights violations against Baha'is and others.

Mr. Speaker, I was a co-author of that legislation, and those measures are not here for show. They are there to punish those responsible for these egregious crimes and deter future human rights violations. It is therefore time for the administration to walk the walk and hold the Iranian regime officials—from the so-called ''supreme leader'' and Ahmadinejad on down—responsible for their violations of the human rights of the Baha'is and other Iranians.

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

Mr. ENGEL. Mr. Speaker, I rise in strong support of H. Res. 134, as amended; and I yield myself such time as I may consume.

Mr. Speaker, before I get into the substance of the bill, I just want to say a couple of things as we're ending the 112th Congress. In the 113th Congress, I'm about to take over as ranking member on the House Foreign Affairs Committee. The man I'm replacing, who spoke before me, the gentleman from California (Mr. BERMAN), I just want him to know, which he already does, but I want to say it for the record how much we're going to miss him and what a role model he really is for all of us on the committee, first as chair and then as ranking member. There isn't a person on either side of the aisle who doesn't respect him. There isn't a person who doesn't understand how important he's been to the Congress the many years he has served in Congress, and particularly on the Foreign Affairs Committee. His shoes are going to be very hard to fill. I'm going to try the best I can, but I want him to know, which he already does, but I want to say it for the record that I'm going to

miss him. I'm going to miss him as a friend, and I'm going to miss him as a colleague; and I think the Congress as a whole will miss him because he's one of the best, and I wish him only the very, very best as he moves on to a future endeavor.

Let me also say the gentlewoman from Florida, the current chair of the committee and former ranking member of the committee, she knows the affection I have for her both personally as a friend but also as a colleague, as chair of the committee for the past 2 years and as ranking member for the previous 4. She and I have worked together not only in these past 6 years but for all of the years we've been in Congress, and I think we've been in Congress for almost the exact same time. It's been a pleasure and an honor to work with her, and I continue to look forward to collaborating with her on all these issues of importance to us—we agree on many, many, many things—in the 113th Congress. Madam Chair, I just want to tell you how much we appreciate you on both sides of the aisle.

So let me talk about the bill. I think it's important. I agree with everything the chairwoman said. While the international community is rightfully concerned about Iran's ties to international terrorism and its nuclear weapons program, we cannot forget those who struggle for religious freedom and democracy in Iran.

The Baha'i community has long been the target of religious persecution by the Iranian regime. Much of its informal leadership has been arrested, and many members of the community executed. The Baha'i are not permitted to practice their religion and culture. Their marriages are not recognized. Their dead cannot be buried according to Baha'i law, and their cemeteries are desecrated. In addition, the Baha'i are denied government jobs and business licenses. They are not permitted to enroll in public universities, and Baha'i schoolchildren are frequently harassed by classmates, teachers, and administrators. No human being deserves this type of treatment at the hands of their government.

The social teachings of the Baha'i faith, such as the equality of women and men and the principle of each individual's responsibility to navigate the truth, are impossible for the theocratic leaders of Iran to comprehend. But these are universal values—human values—and they must be protected.

Mr. Speaker, the United States and the international community must not ignore the systematic and violent attacks against the Iranian Baha'i community, and Tehran must be held accountable. By passing this resolution, we shine a light on the persecution of the Baha'i and hopefully move us one step closer to the day that true freedom reaches Iran.

I encourage all of my colleagues to support H. Res. 134, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend from New York for those kind words. Mr. ENGEL is a true mensch. That's a good thing.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DOLD), a member of the Financial Services Committee, the Tom Lantos Congressional Human Rights Committee, and the author of this measure, whom we will miss greatly.

Mr. DOLD. Mr. Speaker, I certainly want to thank the chairwoman for her leadership and for her friendship and her work on human rights abuses. I certainly want to thank the ranking member and my friend from New York as well.

Mr. Speaker, I've talked at length in this Chamber about the human rights abuses taking place inside the country of Iran. In response to this Iranian regime's oppressive rule, we have worked to promote democracy and human rights through a variety of legislative tools, and we have championed measures like the Lautenberg amendment to offer a lifeline to those individuals who seek nothing more than the freedom they cannot find in their home country.

□ 1230

Today I'm proud to stand here with my colleagues and encourage others to support House Resolution 134, officially condemning the Government of Iran for its state-sponsored persecution of its Baha'i religious minority and for the continued violation of human rights. It's time for these continued violations of human rights to be fully exposed and to receive increased international attention.

The Baha'i population is Iran's largest non-Muslim religious minority. Over 300,000 Iranians consider themselves part of the Baha'i faith, yet since the Islamic revolution of Iran of 1979, members of the Baha'i faith in Iran have faced intense suppression solely because of their religious beliefs. Baha'is are unrecognized under the Iranian Constitution, and over 200 Baha'is have been killed in Iran since the revolution.

Additionally, Baha'is are wrongfully imprisoned and discriminated against throughout the country. Baha'is are barred from universities, banned from government employment, and excluded from the social pension system unless they deny their religious affiliation. Their marriages are not recognized; their property is confiscated; their holy places and cemeteries have been desecrated.

The situation has worsened considerably, Mr. Speaker, in the last year as the number of Baha'is in prison has roughly doubled, and there have been raids on the Baha'i Institution of Higher Education, an alternative education system that the Baha'i community developed to educate Baha'i youth who are excluded from the state's university system.

House Resolution 134 condemns the state-sponsored persecution performed by the Iranian Government and calls on it to release the seven imprisoned Baha'i leaders, six imprisoned educators, and all other prisoners held solely on account of their religious beliefs. Additionally, the resolution calls on the President and the Secretary of State to condemn the Iranian Government's continued violation of human rights. Finally, the resolution urges the President and the Secretary of State to utilize available measures to sanction officials of the Government of Iran and other individuals directly responsible for egregious human rights violations, including against the Baha'i community.

Mr. Speaker, in recognition of the importance of this issue, this resolution currently enjoys over 146 bipartisan cosponsors. On behalf of all those who are concerned about human rights abuses, and on behalf of the Baha'i community in the Tenth District of Illinois, which is home to the Baha'i Temple of North America—the beautiful temple in Wilmette is one of only seven, Mr. Speaker, throughout the world—I'd like to encourage my colleagues, my friends to vote in support of H. Res. 134's passage.

I thank you, and I thank, again, the chairwoman for her leadership.

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

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

Mr. VAN HOLLEN. Mr. Speaker, I rise as a cosponsor of H. Res 134, a resolution condemning the Government of Iran for the state-sponsored persecution of its Baha'i minority and to thank Representatives DOLD, LIPINSKI and SHERMAN for their collaboration on this important measure.

Since the 1979 Islamic Revolution, the Government of Iran has continued to repress Baha'is and prevent them from participating in the government and the military, from joining the social pension system or attending public schools and universities unless they concealed their faith.

This resolution calls on the President and Secretary of State, in cooperation with the international community, to immediately condemn the Government of Iran's violation of the human rights of the Baha'i and urges the President and Secretary of State to utilize all available measures, including sanctions on officials of the Government of Iran and other individuals directly responsible for egregious human rights violations against the Baha'i community and other minorities.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 134, 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. ENGEL. Mr. Speaker, I object to the vote on the ground that a quorum

is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

URGING EUROPEAN UNION TO DESIGNATE HIZBALLAH AS A TERRORIST ORGANIZATION

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 834) urging the governments of Europe and the European Union to designate Hizballah as a terrorist organization and impose sanctions, and urging the President to provide information about Hizballah to the European allies of the United States and to support the Government of Bulgaria in investigating the July 18, 2012, terrorist attack in Burgas.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 834

Whereas the Department of State has designated Hizballah as a foreign terrorist organization since October 1997;

Whereas the United States Government designated Hizballah a specially designated terrorist organization in January 1995 and a ''Specially Designated Global Terrorist'' pursuant to Executive Order 13224 (66 Fed. Reg. 49079) in October 2001;

Whereas Hizballah was established in 1982 through the direct sponsorship and support of Iran's Islamic Revolutionary Guards Corps (IRGC) Qods Force and, as a primary terrorist proxy of Iran, continues to receive training, weapons, and explosives, as well as political, diplomatic, monetary, and organizational aid, from Iran;

Whereas Hizballah has been implicated in multiple acts of terrorism over the past 30 years, including the bombings in Lebanon in 1983 of the United States Embassy, the United States Marine barracks, and the French Army barracks, the airline hijackings and the kidnapping of European, American, and other Western hostages in the 1980s and 1990s, and support for the Khobar Towers attack in Saudi Arabia that killed 19 Americans in 1996;

Whereas, according to the 2011 Country Reports on Terrorism issued by the Department of State, ''Since at least 2004, Hizballah has provided training to select Iraqi Shia militants, including on the construction and use of improvised explosive devices (IEDs) that can penetrate heavily-armored vehicles.'';

Whereas, in 2007, a senior Hizballah operative, Ali Mussa Daqduq, was captured in Iraq with detailed documents that discussed tactics to attack Iraqi and coalition forces, and has been directly implicated in a terrorist attack that resulted in the murder of 5 members of the United States Armed Forces;

Whereas Hizballah has been implicated in the terrorist attacks in Buenos Aires, Argentina, on the Israeli Embassy in 1992 and the Argentine Israelite Mutual Association in 1994;

Whereas Hizballah has been implicated in acts of terrorism and extrajudicial violence in Lebanon, including the assassination of political opponents;

Whereas, in June 2011, the Special Tribunal for Lebanon, an international tribunal for the prosecution of those responsible for the February 14, 2005, assassination of former Lebanese Prime Minister Rafiq Hariri, issued arrest warrants against 4 senior Hizballah members, including its top military commander, Mustafa Badr al-Din, identified as the primary suspect in the assassination;

Whereas, according to the 2011 Country Reports on Terrorism issued by the Department of State, Hizballah is ''the likely perpetrator'' of 2 bomb attacks that wounded United Nations Interim Force in Lebanon (UNIFIL) peacekeepers in Lebanon during 2011;

Whereas, according to the October 18, 2012, report of the Secretary-General of the United Nations to the United Nations Security Council on the implementation of Security Council Resolution 1559 (2004) (in this preamble referred to as the ''October 18 Report''), ''The maintenance by Hizbullah of sizeable sophisticated military capabilities outside the control of the Government of Lebanon . . . creates an atmosphere of intimidation in the country[,] . . . puts Lebanon in violation of its obligations under Resolution 1559 (2004)[,] and constitutes a threat to regional peace and stability.'';

Whereas, on July 12, 2006, Hizballah engaged in an unprovoked attack on Israel that instigated the 2006 Israel-Hizballah War, in which Hizballah deliberately targeted Israeli civilians and utilized innocent Lebanese as human shields in violation of international norms;

Whereas, since the 2006 conflict, Iran and Syria have provided substantial assistance to Hizballah to rebuild its stockpile of tens of thousands of rockets, including sophisticated long-range weapons that can strike deep into Israeli territory;

Whereas John Brennan, Assistant to the President for Homeland Security and Counterterrorism, stated on October 26, 2012, that Hizballah's ''social and political activities must not obscure [its] true nature or prevent us from seeing it for what it is—an international terrorist organization actively supported by Iran's Islamic Revolutionary Guards Corps–Quds Force'';

Whereas David Cohen, Under Secretary of the Treasury for Terrorism and Financial Intelligence, stated on August 10, 2012, ''Before al Qaeda's attack on the U.S. on September 11, 2001, Hizballah was responsible for killing more Americans in terrorist attacks than any other terrorist group'';

Whereas, according to a September 13, 2012, Department of the Treasury press release, ''The last year has witnessed Hizballah's most aggressive terrorist plotting outside the Middle East since the 1990s.'';

Whereas, since 2011, Hizballah has been implicated in thwarted terrorist plots in Azerbaijan, Cyprus, Thailand, and elsewhere;

Whereas, on July 18, 2012, a suicide bomber attacked a bus in Burgas, Bulgaria, murdering 5 Israeli tourists and the Bulgarian bus driver in a terrorist attack that, according to Mr. Brennan, ''bore the hallmarks of a Hizballah attack'';

Whereas Israeli prime minister Benjamin Netanyahu has stated regarding the Burgas terrorist attack, ''We have unquestionable, fully substantiated evidence that this was done by Hizballah backed by Iran.'';

Whereas Bulgaria is a member of the European Union and of the North Atlantic Treaty Organization (NATO);

Whereas, according to the October 18 Report, ''There have been credible reports suggesting involvement by Hizbullah and other Lebanese political forces in support of the parties in the conflict in Syria. . . . Such militant activities by Hizbullah in Syria contradict and undermine the disassociation policy of the Government of Lebanon, of which Hizbullah is a coalition member.'';

Whereas, on October 26, 2012, Mr. Brennan stated, ''We have seen Hizballah training militants in Yemen and Syria, where it continues to provide material support to the regime of Bashar al Assad, in part to preserve its weapon supply lines.'';

Whereas, on August 10, 2012, the Department of the Treasury designated Hizballah pursuant to Executive Order 13582 (76 Fed. Reg. 52209), which targets those responsible for human rights abuses in Syria, for providing support to the Government of Syria;

Whereas, according to the Department of the Treasury, since early 2011, Hizballah ''has provided training, advice and extensive logistical support to the Government of Syria's increasingly ruthless effort to fight against the opposition'' and has ''directly trained Syrian government personnel inside Syria and has facilitated the training of Syrian forces by Iran's terrorism arm, the Islamic Revolutionary Guards Corps–Qods Force'';

Whereas, on September 13, 2012, the Department of the Treasury designated the Secretary-General of Hizballah, Hassan Nasrallah, for overseeing ''Hizballah's efforts to help the Syrian regime's violent crackdown on the Syrian civilian population'';

Whereas, on October 26, 2012, Mr. Brennan stated, ''Even in Europe, many countries . . . have not yet designated Hizballah as a terrorist organization. Nor has the European Union. Let me be clear: failure to designate Hizballah as a terrorist organization makes it harder to defend our countries and protect our citizens. As a result, for example, countries that have arrested Hizballah suspects for plotting in Europe have been unable to prosecute them on terrorism charges''; and

Whereas, on October 26, 2012, Mr. Brennan called on the European Union to designate Hizballah as a terrorist organization, saying, ''European nations are our most sophisticated and important counterterrorism partners, and together we must make it clear that we will not tolerate Hizballah's criminal and terrorist activities.'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges the governments of Europe and the European Union to designate Hizballah as a terrorist organization so that Hizballah cannot use the territories of the European Union for fundraising, recruitment, financing, logistical support, training, and propaganda;

(2) urges the governments of Europe and the European Union to impose sanctions on Hizballah for providing material support to Bashar al Assad's ongoing campaign of violent repression against the people of Syria;

(3) expresses support for the Government of Bulgaria as it conducts an investigation into the July 18, 2012, terrorist attack in Burgas, and expresses hope that the investigation can be successfully concluded and that the perpetrators can be identified as quickly as possible;

(4) urges the President to provide all necessary diplomatic, intelligence, and law enforcement support to the Government of Bulgaria to investigate the July 18, 2012, terrorist attack in Burgas;

(5) reaffirms support for the Government of Bulgaria by the United States as a member of the North Atlantic Treaty Organization (NATO), and urges the United States, NATO, and the European Union to work with the Government of Bulgaria to safeguard its territory and citizens from the threat of terrorism; and

(6) urges the President to make available to European allies and the European public information about Hizballah's terrorist activities, efforts to subvert democracy within Lebanon, and provision of material support

to Bashar al Assad's campaign of violence in Syria.

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

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of House Resolution 834, introduced by my good friend and colleague from Pennsylvania (Mr. KELLY).

The resolution before the House condemns the ongoing violence perpetrated by Hezbollah. It urges the European Union to classify Hezbollah as a designated terrorist organization.

Now, in March of 2005, the House voted on a similar resolution urging the European Union to add Hezbollah as a designated foreign terrorist organization; yet here we are again, Mr. Speaker, nearly 8 years later, calling for the EU to take this long overdue action.

As the purveyor of one of the most expansive extremist networks in the world, Hezbollah has engaged in nearly three decades of attacks against Americans, Europeans, Israeli civilians, in addition to plots and attacks on nearly every continent. Among the most egregious examples of Hezbollah attacks against innocent civilians abroad were its bombings of the Israeli Embassy in Buenos Aires in March 1992 and the Jewish Cultural Center in Buenos Aires in 1994.

Hezbollah has never missed an opportunity to target innocent civilians, especially innocent Israelis, as the 2006 conflict in southern Lebanon illustrated, while using innocent Lebanese as human shields. Hezbollah has even turned its weapons on Syrians and against other Lebanese, as the Special Tribunal for Lebanon has uncovered. And most recently, Mr. Speaker, Hezbollah attacked innocent Israeli and Bulgarian civilians in Burgas, Bulgaria.

Mr. Speaker, given Hezbollah's long and grisly record, it is no surprise that many of our allies—from Canada, Great Britain, the Netherlands, Australia, New Zealand—have designated Hezbollah as a terrorist organization, because that is what it is.

In this respect, it defies comprehension that our allies in the European Union continue to purposely omit Hezbollah from their list of designated terrorist organizations. The logic of the European Union's decisionmaking on this matter is, at best, baffling, particularly against the backdrop of our mutual efforts to address the threats of Hezbollah patrons Iran and Syria.

By simply designating Hezbollah as a terrorist organization and stating the obvious, the European Union could deprive Hezbollah of access to millions of dollars in European banks and other financial institutions, while making an enormous contribution to regional stability, saving hundreds of lives that would otherwise be Hezbollah's future victims.

Again, I strongly support this Kelly resolution, and I urge all of my colleagues to do the same.

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

Mr. ENGEL. Mr. Speaker, I rise in strong support of H. Res. 834 and yield myself as much time as I may consume.

This important resolution urges the nations of Europe and the European Union to designate Hezbollah has a terrorist organization and to impose sanctions on it. We know from our experience with Iran that sanctions and, in fact, all diplomacy are most effective when they are multilateral—the more multilateral, the better.

We are particularly strong in such matters when we and our friends and allies in the European Union stand shoulder to shoulder. That's why Europe's seemingly inexplicable refusal to classify Hezbollah as a terrorist group has been so disappointing over the years.

Hezbollah is a charter member of the Foreign Terrorist Organizations list in the United States. It's crimes are legion, spread over many continents, and far too numerous to list here. They begin in the early 1980s with deadly bombings of the U.S. Embassy and the U.S. Marine and French Army barracks in Beirut, and they have continued up to the present day. I still remember Ronald Reagan, President Reagan talking about it after so many of our marines were murdered in Lebanon.

□ 1240

Let me mention just a few of the other lowlights: countless kidnappings of Americans and Europeans in the 1980s and 1990s; the Khobar Towers attack that killed 19 Americans in 1996; the 1992 bombing of the Israeli Embassy and the 1994 bombing of the Jewish community center in Buenos Aires, again, with multiple killings; the murders of Americans in Iraq and the training of other Iraqi militants; and countless assassinations in Lebanon, including, most likely, that of former prime minister Rafik Hariri in 2005. In 2006, Hezbollah's unprovoked murder of three Israeli soldiers caused a war, during which Hezbollah rocketed civilian targets in Lebanon and used Lebanese civilian as human shields.

Over the past 2 years, it has staged attacks from Turkey to Thailand. Today, it has forces in Syria fighting on behalf of Assad and the murderous Assad regime and helping to train Assad's thugs. In addition, this year Hezbollah twice has been directly implicated in terrorism on European Union territory—in Bulgaria, where a suicide bomber killed five Israeli tourists and a Bulgarian, and in Cyprus, where an apparent Hezbollah terrorist attack was thwarted.

The failure of most European nations to designate Hezbollah has been based on the flimsiest of reasons; namely, that Hezbollah provides social services to the Shiite community and participates in electoral politics in Lebanon. In fact, Hezbollah takes a very novel approach to electoral politics—using a militia to intimidate voters into voting for them. By the way, it's a lesson that Hamas has learned very, very well.

But Europe's failure to designate Hezbollah as a terrorist group is not merely a problem because it accords legitimacy to a terrorist organization. Rather, it has important operational consequences as well. The failure to designate makes it more difficult to prosecute cases against Hezbollah crimes committed in Europe. It allows Hezbollah to use EU territories to fund-raise, recruit new members, propagandize, and train. And thus, the freedom Hezbollah enjoys in Europe ultimately affects non-Europeans as well. The European Union obviously will make its own decisions on this matter, but it's hard to escape the conclusion that the EU's failure to designate Hezbollah undermines both Europe's security and ours as well.

The State Department's top counterterrorism official recently said that he's ''cautiously optimistic—at last—about the prospects for an EU designation of the group.'' I hope his optimism is justified. Until it is borne out with an actual terrorist designation, however, it is important that we join the Senate in going on record as urging the European Union to make that designation, which would be so beneficial to the fight against terrorism worldwide and to our own national security.

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

Ms. ROS-LEHTINEN. I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KELLY), an esteemed member of our House Foreign Affairs Committee and the author of this bill.

Mr. KELLY. I thank the gentlelady for your guidance and your leadership the last couple of years. It was a joy serving with you in Foreign Affairs.

I rise today in support of House Resolution 834 and urge the EU and member states to designate Hezbollah as a terrorist organization. Hezbollah is called ''the A Team'' of international terrorist organizations by terrorism experts. Hezbollah was created by Iran's Islamic Revolutionary Guards Corps Quds Force in 1982, and is a primary terrorist proxy of Iran. Hezbollah receives weapons, training, monies, and support from Iran and Syria.

Hezbollah has left its bloody fingerprints around the world in the last 30 years. Hezbollah has been implicated in numerous deadly terrorist attacks against Europeans, Americans, and Israelis:

In 1983, the bombing of the U.S. embassy in Beirut, which killed 63 people; the 1983 bombing of the U.S. and French barracks of the Multinational Force in Lebanon, killing 241 American servicemen and 58 French soldiers; the 1992 bombing of the Israeli embassy in Buenos Aires, killing 29 people; the 1994 bombing of the AMIA Jewish community center building in Buenos Aires, killing 85 people; the suicide bombing on July 18, 2012, that killed five Israeli tourists and a Bulgarian driver in the town of Burgas, Bulgaria, that had all the hallmarks of a Hezbollah attack.

Hezbollah has created violence and instability in Lebanon. In addition to terrorist attacks and political assassinations, it has launched thousands of rockets and missiles at Israel from within Lebanon. Hezbollah supports Bashar al-Assad's brutal, ongoing violence against the Syrian people.

It's long past time for the EU and its members to join the U.S. and other allies and list Hezbollah as a terrorism organization. I would ask the EU as a recipient of the 2012 Nobel Peace Prize to please wake up. The U.S. designated Hezbollah as a terrorist organization in the late 1990s. Canada and Australia, as well as the United Kingdom and the Netherlands, both EU members, also list Hezbollah as a terrorist organization.

Failure to recognize and designate Hezbollah allows it to continue evading law enforcement, intelligence, and security services, and it endangers the people of Europe. Hezbollah cannot claim to be a legitimate political party or provider of social services when it refuses to abandon its terrorist agenda. Both the United States and the EU must be united in our fight against Hezbollah.

This resolution, H. Res. 834, urges the EU and member states to designate Hezbollah as a terrorist organization and to prevent Hezbollah from using EU territories for fundraising, for recruitment, for training, for propaganda, and any other activities. It urges the EU and its members to impose sanctions on Hezbollah for supporting the Assad regime's brutal violence against the Syrian people. It affirms our support for the Bulgarian government in its investigation of the July 18, 2012, terrorist attack, and urges our President to support that investigation. It urges the President to provide information to our European allies regarding Hezbollah's terrorist activities, subversion of democracy in Lebanon, and support of Assad's violence in Syria. This Congress has and will do all it can to urge the EU to do the right thing and list Hezbollah as a terrorist organization.

In September, my good friend GUS BILIRAKIS from Florida, Mr. DEUTCH, Mr. ISRAEL, Mr. SIRES and I led a bipartisan group of 268 House Members to send a letter to the President and the 27 ministers of the European Commission urging the Commission to include Hezbollah on the EU terrorist list. I might mention Mr. DEUTCH and I had talked one day walking into our offices about how well our staffs have worked together to forge this letter, to put it together. And we do things in a lot of bipartisan ways. I think sometimes it gets lost in the wash of other things that are going on. I especially want to thank all those members of the staffs and also one of my staff members, Mr. Isaac Fong, for the tireless work he put in.

Earlier this month, the Senate unanimously passed Senate Resolution 613, which also urges the EU to declare Hezbollah a terrorist organization. H. Res. 834 has over 80 bipartisan cosponsors. I urge my colleagues to vote ''yes'' on H. Res. 834. It's time to recognize Hezbollah for what it is. If it waddles like a duck and quacks like a duck, it's a duck. This is a terrorist organization. It needs to be recognized and designated as one worldwide.

Mr. ENGEL. I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. First of all, I want to begin by thanking the chair and the ranking member for their commitment to security, to Israel and to the region. I want to thank Mr. KELLY for his commitment, similarly.

In my office, which I recently shut down because I'm not going to be in the next Congress, I had a pedestal on which rested a bomb fragment that I brought back from the village of Qana in south Lebanon. Qana is the place where Christ is said to have performed his first miracle. And Qana was also the place where a bomb dropped on an apartment building and killed about 50 women and children.

I brought a fragment of that bomb back and put it on a pedestal in the office. And within that pedestal I put the dog tags of three Israeli soldiers who were captured and kidnapped. I got the dog tags from their parents. I've had that in my office since 2006, when I first went to Lebanon to look at the effects of the war. And I have them together because they represent the parenthesis on a human tragedy.

□ 1250

But we're all concerned about Israel's security. I rose on the floor of this House when the war started to talk about putting immediately into effect a plan that would stop the war. I've been to south Lebanon and Israel on several occasions.

I want to add a word of caution here because what I'm concerned about, notwithstanding the best intentions of my friends who are taking a strong stand here, is the impact of this resolution on a United Nations force in Lebanon, UNIFIL. There are European troops there. Their mission is to enforce U.N. Security Resolution 1701 to end the hostilities between Hezbollah and Israel.

UNIFIL has been working with Hezbollah to stabilize south Lebanon. And there are reports from the ground that they have helped to achieve a good measure of stability in that regard, even reports that Hezbollah has worked to help curb the work of terrorist cells of extremist bent. UNIFIL has, in effect, worked with Hezbollah. Peacekeepers have worked with Hezbollah. They've developed a relationship for future dialogue.

Now, I'm concerned that this resolution could make it even more difficult to enforce UN Resolution 1701 and that, if it's passed, one of the things that this Congress has to consider is that the Lebanese army, itself, has to be strengthened.

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

Mr. ENGEL. I yield the gentleman 1 minute.

Mr. KUCINICH. We have to look at the implications of this. If you have European countries who are essentially part of the UNIFIL presence in south Lebanon in furtherance of a U.N. resolution to end hostilities between Hezbollah and Israel, to create safety for both the people of Israel and the people of Lebanon, we've got to be very careful here that we don't create a situation that is the opposite of what we are trying to achieve. If this resolution passes—and unfortunately, I'm not going to be able to support it. But if it passes, we have to do something to strengthen the Lebanese army, because if the Lebanese army isn't strong enough, then you have a situation where the very thing that we are opposing here could come to pass and with great force.

So I would just urge your consideration of that, and I thank you very much for giving me an opportunity to put this forward. Again, I thank my colleagues for their constant support of Israel.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Mr. ENGEL. I yield 3 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I rise today in support of House Resolution 834, which urges the European Union to take steps to swiftly designate Hezbollah as a terrorist organization.

Despite its history of violent civilian attacks, our European partners in fighting terrorism as a whole have yet to formally recognize Hezbollah as a foreign terrorist organization. Mr. Speaker, the failure of the EU to gain consensus on this matter serves as a grave injustice to those who have been the victims of terror attacks masterminded and carried out by Hezbollah throughout the world.

From the suicide truck bombings of the U.S. Embassy in Beirut in April 1983 that killed 63, the U.S. Marine barracks bombing in October 1983 that killed 241 American military personnel, a separate attack on the French military compound that killed 58, as well

as the hijacking of TWA 847 in 1995 and Hezbollah's role in the 1994 bombing of the Israel-Argentine Mutual Aid Association in Buenos Aires that killed 85, right up to the terrorist attack this summer at a Bulgarian airport that killed six, Hezbollah has shown its propensity to attack civilians and to attack them anywhere in the world. It's also shown its propensity to attack even within Lebanon, where the group is responsible for the 2005 assassination of Prime Minister Hariri.

Hezbollah and its state sponsor Iran continually spread anti-U.S. and anti-Israel rhetoric and excitement, with Hezbollah chief Hassan Nasrallah recently threatening to rain down rockets on Israel ''from the Lebanese border to Jordan to the Red Sea, from Kiryat Shmona to Eilat,'' prompting harsh rebukes from several prominent members of Lebanon's Parliament.

By failing to label Hezbollah a terrorist organization, Hezbollah is free to continue its operations, including recruiting and fundraising in Europe.

Mr. Speaker, we deeply value our relationship with our European allies, including our joint commitment to combatting terror around the globe. We appreciate their partnership in enacting crushing sanctions designed to thwart Iran's nuclear ambitions, but we do not understand the failure of our friends to join together in stopping this organization's reign of terror. That's why we are here this morning speaking about House Resolution 834.

Mr. Speaker, in conclusion, I'd like to thank my friend, Congressman KELLY, as well as Chairman ROS-LEHTINEN and Ranking Member BERMAN for their leadership on this issue.

My friend, Mr. ENGEL, the incoming ranking member, I look forward to working with you, continuing to work on these vitally important issues.

I urge my colleagues, Mr. Speaker, to support this resolution.

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

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

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

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of this legislation, and thank my good friend Mr. KELLY for authoring it.

Mr. Speaker, this resolution urges the governments of Europe and the European Union to designate Hezballah a terrorist organization, so that it will not be able to raise funds and recruit operatives in Europe.

Since Hezballah is one of the most active, dangerous, ruthless, and evil terrorist groups in the world, this should be the most obvious thing in the world for the European governments to do—the minimum action which they should be in a hurry to do on their own, without any urging from anybody.

One reason many European countries have not done so is the ongoing presence of anti-Semitism in Europe. It's a very sad story, but it's undeniably true that in many European countries large minorities or even majorities of the population hold attitudes that can only be described as anti-Semitic. Regarding this I'd like to recommend to my colleagues a March 2012 study of the Anti-Defamation League on ''Attitudes Toward Jews in Ten European Countries.'' It is shocking but necessary reading—I will be happy to share it with any of my colleagues.

Further, in Europe anti-Semitic opinion doesn't hide its head furtively. Rather people who are not anti-Semitic accept various forms of anti-Semitic statement and attitudes into seemingly ''mainstream'' discussion, where it's allowed to influence government policy—that is, anti-Semitic public opinion limits what some governments are willing to say and do in fighting anti-Semitism.

So with this resolution we are also urging the European governments, and the European Union, to deal more pro-actively, much more pro-actively, with anti-Semitism in Europe. Denounce anti-Semitic actions and statements whenever they occur—this is a fundamental responsibility of every elected official. As elected officials, we always have a special responsibility to anyone in danger—and this resolution documents very well that Hezbollah is an extraordinarily dangerous terrorist group.

In closing, Mr. Speaker, I do want to recognize the many European parliamentarians who have worked hard in fighting anti-Semitism in Europe. I've worked with many of them over the years, particularly in the Parliamentary Assembly of the OSCE and in the Interparliamentary Coalition for Combating Anti-Semitism.

This resolution, with its careful documentation of the extraordinary danger posed by Hezballah, will provide Europeans engaged in fighting anti-Semitism with a tool they can take to their governments and demand that they be much more pro-active against anti-Semitism. For it is anti-Semitism that creates the poisonous atmosphere in which Hezballah operates.

I strongly urge my colleagues to support this excellent resolution.

Mr. VAN HOLLEN. Mr. Speaker, As a cosponsor of H. Res. 834, I rise to thank Representatives KELLY and DEUTCH for bringing this important resolution to the floor today and to encourage my colleagues to join me in supporting the measure.

H. Res. 834 urges the governments of Europe and the European Union to designate Hezbollah as a terrorist organization. According to John Brennan, the deputy national security advisor, Europe's failure to designate Hezbollah as a terrorist group makes it more difficult to defend the citizens of the European Union and the United States because Hezbollah is able to openly raise funds in some European countries and because EU countries are unable to prosecute Hezbollah members suspected of plotting terrorist attacks.

Hezbollah has been implicated in multiple acts of terrorism over the past 30 years, including the bombings in Lebanon in 1983 of the United States Embassy, the United States Marine barracks, and the French Army barracks, the airline hijackings and the kidnapping of European, American, and other Western hostages in the 1980s and 1990s. Before al Qaeda's attack on the U.S. on September 11, 2001, Hezbollah was responsible for killing more Americans in terrorist attacks than any other terrorist group. Today, Hezbollah is training militants in Yemen and Syria and continues to provide financial and material support to the regime of Bashar al Assad.

This resolution urges the governments of Europe and the European Union to forbid Hezbollah from using EU territory for the purpose of fundraising, recruitment, financing, training and propaganda and it will help protect European and American lives. I encourage my colleagues to support the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 834.

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. ENGEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

REQUESTING EGYPT RETURN NOOR AND RAMSAY BOWER TO THE UNITED STATES

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 193) calling on the new Government of Egypt to honor the rule of law and immediately return Noor and Ramsay Bower to the United States, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 193

Whereas Colin Bower's 2 young sons, Noor and Ramsay Bower, were illegally abducted from the United States by their mother in August 2009 and taken to Egypt;

Whereas Noor William Noble Bower, age 11, and Ramsay Maclean Bower, age 9, are citizens of the United States of America;

Whereas, on December 1, 2008, prior to the abduction of Noor and Ramsay, the Probate and Family Court of the Commonwealth of Massachusetts awarded sole legal custody of Noor and Ramsay to Colin Bower, and joint physical custody with Mirvat el Nady, which ruling stipulated Mirvat el Nady was not to remove Noor and Ramsay from the Commonwealth of Massachusetts;

Whereas, in August of 2009, following a violation of the Probate Court's ruling, the Massachusetts Trial Court granted sole physical custody of Noor and Ramsay to their father, Colin Bower;

Whereas Colin Bower has been granted only 4 visitations with his sons in the more than 3 years since the abduction;

Whereas the United States has expressed its commitment, through the Hague Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980, ''to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence''; and

Whereas the United States and 69 other countries that are partners to the Hague Convention on the Civil Aspects of International Child Abduction have agreed, and encourage all other countries to concur, that the appropriate court for determining the best interests of children in custody matters is the court in the country of their habitual residence: Now, therefore, be it

Resolved, That the House of Representatives calls on government officials and competent courts in Egypt to assist in the safe and immediate return of Noor and Ramsay Bower to the United States.

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

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, 3½ years ago, Colin Bower's two sons, Noor and Ramsay, were abducted from the United States by their mother in violation of the custody ruling given by the courts of the Commonwealth of Massachusetts. The boys' mother used forged passports to remove the boys from the United States and take them to her native land of Egypt, despite the fact that a court ruling stipulated that she was not to remove them from Massachusetts. Last I checked, Egypt was not in Red Sox country.

One of the objectives of the Hague Convention, Mr. Speaker, on the Civil Aspects of International Child Abduction—of which Egypt and the United States are members—is to ensure that custody rights and access under the law of one contracting state are respected in the others. That means helping to bring Noor and Ramsay home to their father.

The resolution is not calling for anything extraordinary. We are simply appealing to the Egyptian Government to uphold its responsibilities and return these two boys to their rightful home.

I would like to thank my colleague from Massachusetts (Mr. FRANK) for working so diligently to secure the safe and speedy return of these boys to their dad. This bipartisan measure deserves our unanimous support.

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

□ 1300

Mr. ENGEL. Mr. Speaker, I rise in strong support of H. Res. 193 and yield myself as much time as I may consume.

This resolution calls on the new Government of Egypt to immediately return two kidnapped American children to their father in the United States.

In August of 2009, Colin Bower of Wellesley, Massachusetts, received a terrifying phone call that his two children—Noor and Ramsay, ages 9 and 7 at the time—had been abducted to Egypt by his ex-wife, Mirvat el Nady. Mr. Bower was granted sole legal custody of the children after his divorce.

El Nady lost custody over the children because the Massachusetts courts found her to have a drug addiction which put the safety of the boys at risk. She utilized falsified Egyptian passports to smuggle the children out of the country on an Egypt Air flight and is now wanted by Federal and local officials on charges of kidnapping.

The facts of this case are heartbreaking, and I want to thank my good friend and colleague, the gentleman from Massachusetts (Mr. FRANK), for working so hard on this resolution and trying to reunite Mr. Bower with his children.

The resolution before us asks for three simple things: first, that Egypt bring about the safe return of Noor and Ramsay Bower to their father, Colin Bower, in the United States; secondly, that Egypt immediately stop using its own security forces to aid and abet the continued unlawful retention of these two United States citizens; and, thirdly and finally, it urges Egypt and all other nations to join and fully participate in The Hague Convention on the Civil Aspects of International Child Abduction and to establish procedures to promptly and equitably address the tragedy of child abductions.

During this holiday season, we are reminded that children are our most important and cherished resource, and it is a tragedy for everyone involved when they are taken away and denied access to one of their parents.

Egypt's Government must do better. What the Mubarak and now Morsi governments have done is actively work to make sure Mr. Bower is not part of his children's lives. This is unjust, illegal, tragic, and unacceptable; and sadly, Mr. Speaker, this is but one of 31 separate cases involving American children wrongfully removed from the United States to Egypt.

Mr. Speaker, I ask that all my colleagues join me in supporting this important resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I now yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, my thanks go to the chair of the committee, the gentlewoman from Florida, the ranking member from California (Mr. BERMAN), and the new ranking member from New York (Mr. ENGEL) for giving us a chance to try to achieve not just justice but love, the love of a father for children for whom he grieves daily because they were illegally and abusively kidnapped.

As the gentlewoman from Florida pointed out, this kidnapping was in violation of a decision by the family court in Massachusetts giving full custody to the father. Members will not be surprised to learn that there have been very few complaints, that I've ever heard of, of there being a bias in favor of fathers in those courts. Some say there's a bias in favor of mothers. There is certainly a presumption, as I understand it, in favor of mothers. So for a court to say unequivocally that the father gets sole control is a strong indication of the unfitness of the mother.

And so the case is very clear; but I want in my remarks, Mr. Speaker, to address the Government of Egypt. There's a new government in Egypt. There are points of friction between Egypt and the United States. We have a great interest in a good relationship. The foundation of peace in the Middle East began in 1979 with the Camp David Accords. America has consistently provided Egypt with more foreign assistance than all but a handful of nations. And in this current period when there are issues that could arise that could divide us, I urge the Egyptian Government not to put or keep in place a serious problem, not an irritant. It's more than an irritant when a loving father who has been given custody of his children because of the court's decision that the mother is unfit by virtue of a drug addiction, when he is denied the ability to have his paternal instincts honored, to be able to honor and protect his children. And I urge the Government of Egypt: do not minimize the extent to which this will be an obstacle.

I will not be here in a week, Mr. Speaker. I didn't think I'd be here this week. But I know that my successor in Congress, Mr. KENNEDY, and my colleagues, the chair of the committee and the ranking member, will not forget this. The Government of Egypt will be seeking from this House support of measures, and there are a lot of reasons why we want to work together. I plead with them, do not allow what to us is a very serious issue—perhaps to some in Egypt it appears minor—but to have a father's children taken away from him and kidnapped with the implicit cooperation of the prior Egyptian Government is a grave problem. If the current Egyptian Government does not correct this situation, it will be an obstacle to the kind of cooperation that is in our mutual interest.

I hope we get a very large, indeed unanimous, vote for this resolution and the Egyptian Government understands that it is not just justice but its best interests that call for compliance.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself 1 minute to again reiterate the fact that I support this bill very strongly and also, since Mr. FRANK spoke before me, I want to, as I mentioned before with some of the other people, tell him

how much I appreciate being his colleague through the years and how much not only I will miss him and the Congress will miss him but that the country will miss him. It's been wonderful to call him a colleague, even better for me to call him a friend, and I wish him the best in all future endeavors. Thank you very much, BARNEY.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I also will miss Mr. FRANK for his friendship and his great insight on many of the issues, and I thank him so much for caring deeply about constituents in his district, and we will continue to fight on their behalf.

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

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of H. Res. 193, calling on the new government of Egypt to honor the rule of law and immediately return American citizens Noor and Ramsey Bower to the United States. It is absolutely appalling and inexcusable that more than three years after a textbook abduction, the new government of Egypt has yet to right the terrible wrong that has been perpetrated upon Noor and Ramsey, as well as upon their father, Colin Bower.

Noor and Ramsey were abducted and hidden with the assistance of the previous Egyptian government August 2009. The boys' mother had lost custody of the children in the United States because of her drug use and psychological problems. Their father, Mr. Bower, was their primary caregiver.

For the last three years, Colin Bower has been doing everything in his power to find out if his sons are safe and to be reunited with them. In July of 2011, he testified before my subcommittee on Africa, Global Health, and Human Rights—and conveyed his frustration over the lack of priority abduction cases receive in U.S. foreign policy.

This sentiment is shared by the thousands of American parents whose American children have been abducted to foreign jurisdictions, often in violation of valid U.S. court orders. Every year, more than a thousand additional families are anguished by an abduction. We are losing our children and are not bringing them home.

At that same hearing, we heard from Michael Elias, an Iraqi veteran from New Jersey, who told this committee of his anguish after his ex-wife used her Japanese consulate connections to abduct Jade and Michael Jr., after the New Jersey court had ordered surrender of passports and joint custody.

His ex-wife flagrantly disregarded those valid court orders telling Michael Elias, "My country [Japan] will protect me." She was right. Both the U.S. embassy personnel and Mr. Elias have been unable to even see the American citizen children since 2008—much less return them to their home.

The U.S. talks about the problem with Japan, and talks, and talks—but Japan has yet to issue and enforce a court order to return a single American child.

In the case of Egypt, we have provided more than $4 billion in aid and debt relief since the abduction of Noor and Ramsey in 2009—despite the fact that Egypt has continued to flagrantly violate valid U.S. court orders, prevent Mr. Bower from seeing his sons, and otherwise aid and abet a kidnapping.

The United States can and must do more to demand that our would-be allies respect the rule of law and return our abducted children. H. Res. 193 is a step in the right direction. Specifically, H. Res. 193 "urges Egypt and all other nations—such as Japan—to join and fully participate in the Hague Convention on the Civil Aspects of International Child Abduction, and to establish procedures to promptly and equitably address the tragedy of child abductions, given the serious consequences to children of not expeditiously resolving these cases and of denying them access to a parent."

H. Res. 193 also urges the House of Representatives to take other appropriate measures to ensure that Hague Convention partners return abducted children to the United States in compliance with the Hague Convention's provisions—and to work aggressively for the return of children abducted from the United States to countries that are not Hague Convention Partners and for visitation rights for left-behind parents while return is negotiated, establishing memorandums of understanding where necessary for the expeditious return of children.

Mr. Speaker, it may soon be time for this body to consider additional steps if we do not see immediate cooperation from our would-be allies in the return of American children. H. Res. 193 is ample warning to Egypt, Japan, and other nations that American patience with abductions has run out. I strongly support the passage of H. Res. 193—and the passage of additional steps if the warning is not heeded.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 193, as amended.

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

The title of the resolution was amended so as to read: ''Calling for the safe and immediate return of Noor and Ramsay Bower to the United States.''.

A motion to reconsider was laid on the table.

NAVAL VESSEL TRANSFER ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6649) to provide for the transfer of naval vessels to certain foreign recipients, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6649

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 ''Naval Vessel Transfer Act of 2012''.

SEC. 2. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.

(a) TRANSFERS BY GRANT.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) MEXICO.—To the Government of Mexico, the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41).

(2) THAILAND.—To the Government of Thailand, the OLIVER HAZARD PERRY class guided missile frigates USS RENTZ (FFG–46) and USS VANDEGRIFT (FFG–48).

(3) TURKEY.—To the Government of Turkey, the OLIVER HAZARD PERRY class guided missile frigates USS HALYBURTON (FFG–40) and USS THACH (FFG–43).

(b) TRANSFER BY SALE.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS TAYLOR (FFG–50), USS GARY (FFG–51), USS CARR (FFG–52), and USS ELROD (FFG–55) 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).

(c) ALTERNATIVE TRANSFER AUTHORITY.—Notwithstanding the authority provided in subsections (a) and (b) to transfer specific vessels to specific countries, the President is authorized, subject to the same conditions that would apply for such country under this Act, to transfer any vessel named in this Act to any country named in this Act such that the total number of vessels transferred to such country does not exceed the total number of vessels authorized for transfer to such country by this Act.

(d) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) or (c) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(e) 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) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(f) 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.

(g) 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.

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

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in support of H.R. 6649, the Naval Transfer Act of 2012, as amended.

According to the Secretary of the Navy, authority to transfer surplus vessels is an important element of the U.S. strategy for decommissioned ships. It enables our Navy to manage its inventory while strengthening ties with our key security partners and with allies by transferring ships that meet key operational requirements.

This legislation authorizes the transfer of 10 decommissioned Oliver Hazard Perry class guided missile frigates to Mexico, to Thailand, to Turkey and Taiwan. Six of the 10 vessels would be authorized for transfer on a grant basis as excess defense articles under section 516 of the Foreign Assistance Act.

Mexico, Thailand, and Turkey would each receive two frigates. With respect to Turkey, I remain greatly concerned with the deterioration in that country's relations with, and policy toward, the democratic Jewish state and our ally, the State of Israel.

□ 1310

Since the 2010 flotilla incident—a crisis on the high seas that triggered a tailspin in Turkish-Israeli relations—we have witnessed a Turkey that is increasingly hostile toward Israel.

From its recall of its Ambassador to Israel, its attempts to marginalize Israel in other international fora, and its continued occupation of Cyprus to the embrace of the Muslim Brotherhood and its offshoots, current Turkish policy is unacceptable. I will continue to challenge those and take steps to ensure, for example, that Turkey is sanctioned for its activities regarding the Iranian regime.

But, Mr. Speaker, the proposed transfer that we're talking about today is not validation of the current Turkish policy in the region. It is about our Nation's long-term national security interests. That is what this bill is all about. Turkey is a NATO ally that we need to continue participating in joint anti-piracy operations, for which they would use these frigates. It has even commanded the Combined Joint Task Force 151, fighting piracy in the Gulf of Aden and along the Somali coast, protecting American citizens who are traveling in that volatile region.

Additionally, in light of the deteriorating security environment in Syria and Turkey's critical role in that arena, the Department of Defense feels that it was necessary for our foreign policy priorities and security objectives that Turkey receive these transfers.

Finally, Mr. Speaker, in 2010, the last time that Congress authorized such naval transfers, we approved the grant transfer of three OSPREY class minehunter coastal ships to Greece, but no transfers to Turkey.

Lastly, these transfers are job creators here at home. Each frigate transferred will require 40 to $80 million of repair and refurbishment. This represents economic benefit to the United States through labor and services during the transfer process, as well as the potential for millions more in follow-on services, equipment, and training. According to estimates from U.S. sources, each frigate transfer creates or sustains approximately 100 shipyard jobs and 50 services jobs in the U.S. for approximately 6 months. Performing this ship transfer work in domestic shipyards that perform U.S. Navy overhauls and repairs lowers the cost of U.S. Navy maintenance by spreading costs over a wider base. The end result is an overall lower cost to our U.S. Navy and thus for the American taxpayer.

The alternative to foreign ship transfers for ships no longer required by the U.S. Navy is to place the decommissioned ships into cold storage or have them be sunk. Navy funding is required for both the storage and the sinking option.

Turning to the other four frigates, Mr. Speaker, these would be authorized for transfer to our close friends and ally, Taiwan. The transfer of these four frigates is not only a symbol of our enduring commitment to a secure and democratic Taiwan but will also provide the island with additional capabilities to conduct maritime security operations in the Taiwan Strait.

The legislation also requires that any expense incurred by the U.S. in connection with a transfer authorized by this bill shall be charged to the recipient.

Mr. Speaker, passage of this bill will help advance United States foreign policy interests and our broader national security requirements. Therefore, I urge adoption, and I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I rise in opposition to this bill, H.R. 6649, as amended, and yield myself as much time as I may consume.

Mr. Speaker, this bill authorizes the transfer of decommissioned frigates to four foreign countries. The governments of Turkey, Mexico, and Thailand would each receive by grant two Perry class frigates. That means for free. Taiwan would be authorized to purchase four of the same class of frigates, which they clearly need to protect their territorial waters.

I object to this bill primarily because of Turkey. While I recognize that Turkey is an important NATO ally, I regret that I have to oppose this bill in light of Turkey's problematic behavior and disturbing rhetoric regarding Israel and Cyprus over the past year and a half. For example, in May, with no apparent justification, Turkey sent combat aircraft to intercept an Israeli aircraft that was flying near Cyprus. This could have turned into a significant confrontation between a U.S. NATO ally and the United States' closest ally in the Middle East. Fortunately, it did not.

In September 2011, Turkey announced that it would send warships to escort aid convoys to Gaza. It has not followed through with this threat, but nor has it rescinded it.

Prime Minister Erdogan and Foreign Minister Davutoglu have been famously competing to see who can issue the most vile denunciations of Israel, as we saw, once again, during the recent Gaza crisis. Indeed, their allegations of ''ethnic cleansing'' and ''crimes against humanity,'' quotes from them, topped even the claims of Hamas for stridency and falsehood. Of course, the prime minister called Israel a ''terrorist state.'' Is that the kind of rhetoric we should expect from a NATO ally?

Some people say this should continue because, after all, Turkey is an ally and we need to help them. Well, I look at it the other way. They're a NATO ally, so they have responsibility. And the way they're acting has been anything but responsible. This is not an inconsequential or trivial matter. As many public opinion surveys show, and as is widely acknowledged, Turkey wields enormous influence among Middle Easterners, with the sway to exacerbate or tamp down tensions as it sees fit. For too long, it has been exacerbating these tensions, particularly since the new government—well, it's not new anymore—a government for several years with an Islamist bent has been in.

Moreover, Turkey's longstanding recognition of Hamas has done nothing to moderate that group. It has merely lent legitimacy to a terrorist group and undermined the standing of the Palestinian Authority in Ramallah. Indeed, in the aftermath of the Gaza hostilities, Turkey's extreme rhetoric and one-sided approach to Israel's conflict with Hamas disqualified it from playing the useful mediating role which should be its natural vocation.

Turkey's unnecessarily harsh anti-Israel rhetoric over the last several years actually did cost the Turks the support of Congress to authorize the transfer of two decommissioned U.S. frigates in the last Congress. It should have that result again in this Congress, and it should be denied.

But Turkey's poisonous rhetoric and menacing behavior towards Israel is not the only reason to oppose this ship transfer, and perhaps not even the most potentially explosive. To cite the other important reason: Turkey has repeatedly threatened Cyprus and its energy explorations. One year ago, Turkey used its naval forces—and, by the way, the very naval forces this bill would enhance—in an effort to harass and intimidate Cyprus and workers employed by the Houston-based Noble Energy company as they sought to explore for offshore natural gas in Cyprus' exclusive economic zone. Prime Minister Erdogan also threatened that Turkey would use force to stop these explorations. Probably because of U.S. opposition, it has not done so, but, again, Turkey has never rescinded the threat. Almost exactly 1 year ago, Turkey conducted a dangerous live-fire

naval exercise in the vicinity of both the Cypriot and Israeli offshore natural gas explorations, which Cyprus and Israel are doing jointly.

The Turkish attitude is epitomized by Turkey's Minister for European Union Affairs, Egemen Bagis, who addressed the issue of Cypriot natural gas exploration last year. This was his warning, and I quote:

This is what we have a navy for. We have trained our marines for this. We have equipped the navy for this. All options are on the table. Anything can be done.

And I want to remind my colleagues that Turkey has continued to occupy the northern part of Cyprus since the 1970s. It's just unacceptable.

□ 1320

Mr. Speaker, I realize that Turkey is an important member of NATO. It accepted radar emplacements for NATO's missile defense initiative, and it is an important element of the solution to several regional problems—notably, Syria—but it has become a major problem for U.S. interests in terms of its relations with Israel and the inflammatory and distinctly unhelpful role it has assumed in the Palestinian issue, as well as its threats against Cyprus.

In the last several years, the once warm relationship between Israel and Turkey has unfortunately frozen over. We would truly like to see a thaw in that relationship, just as we would like to see Turkey respect the sovereign right of every country in the region, like Cyprus, to utilize their natural resources. Until then, I believe we should hold off on sending powerful warships to Turkey and encourage the government in Ankara to take a less belligerent approach to their neighbors.

Early in the next Congress, I would look forward to working with my colleagues on a new ship transfer bill that excludes Turkey, if we can defeat this bill, or appropriately conditions our ship transfer so that the government in Ankara gets the right message.

So I urge my colleagues to reject this bill, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida, my colleague, Mr. BILIRAKIS, an esteemed member on our Committee of Foreign Affairs.

Mr. BILIRAKIS. Thank you, Madam Chairwoman. I appreciate it very much.

Mr. Speaker, I rise in opposition to H.R. 6649, the Naval Vessel Transfer Act of 2012. As part of this legislation before us, the United States would transfer two Oliver Hazard Perry class guided missile frigates to the Government of Turkey.

I have serious concerns, and I oppose this military transfer, Mr. Speaker, because the Turkish navy, as recently as last year, held naval live-fire exercises in the eastern Mediterranean. These provocative exercises took place near the natural gas fields of Israel and the Republic of Cyprus and threatened to disrupt peaceful and productive economic activity. Instead, Mr. Speaker, it is my hope that, in the eastern Mediterranean, Congress will continue to work to foster the relationships between the United States, Greece, Israel, and Cyprus in order to promote and foster issues of mutual, economic, and diplomatic importance.

For those reasons, Mr. Speaker, I oppose the bill.

Mr. ENGEL. Mr. Speaker, may I inquire as to how much time I have left?

The SPEAKER pro tempore. The gentleman from New York has 13½ minutes remaining.

Mr. ENGEL. I yield 5 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I thank the gentleman for yielding.

Woodrow Wilson noted that Congress in committee is Congress at work. Congress ignoring the committee process is a Congress that doesn't work.

This bill has not been the subject of hearing and, more importantly, a markup in the Foreign Affairs Committee. And in the dead of night, provisions to transfer two frigates to Turkey, a controversial provision, was added to this otherwise innocuous bill.

There are arguments on both sides of the issue: Should we transfer the frigates to Turkey at no cost, a gift from the American taxpayer? Should we condition that transfer? Should we limit it to perhaps only one ship?

I'd like to have hearings. I'd like Congress to work its will. Instead, a bill is brought to the floor on a day we were not scheduled to be in session for a last-minute discussion and a last-minute vote.

In prior discussions in our committee dealing with providing frigates to Turkey, we've been told that Turkey lives in a dangerous neighborhood, that it shares a border with Iran. I would ask: Where on the Turkish-Iranian border will these frigates be deployed? The last time an oceangoing vessel has been seen in eastern Anatolia, it was Noah's Ark.

Now these frigates will be deployed in the Mediterranean, and we've seen what the Turkish navy does in the Mediterranean. In 1974, there was the invasion of Cyprus. More recently, there are the actions taken against Israel and in support of Hamas. In June of 2010, after a Gaza flotilla attempted to aid the terrorist group Hamas with supplies, Turkey threatened to send armed naval escorts to back another aid convoy to Hamas. The Turkish Prime Minister, Erdogan, called for Israel to be punished for interfering with the previous effort to aid Hamas with the flotilla. In September 2011, after a U.N. report on the Gaza flotilla was released, Turkey threatened to send an armed naval presence to the eastern Mediterranean to confront Israel, and Prime Minister Erdogan said that Israel should expect more naval presence from Turkey in the area, and I quote:

"Turkish warships will be tasked with protecting the Turkish boats" bringing aid to Hamas in the Gaza Strip.

The gentleman from New York pointed out how the Turkish navy has interfered with both the Cypriot and Israeli efforts to exploit natural gas deposits on the seabed between those two countries. This is particularly outrageous when you realize that the Cypriot natural gas fields are off the shores of South Cyprus, an area where Turkey has not tried to assert its military presence. And they've gone further and even interfered with Israel exploiting its own natural gas fields off of its coast.

This is the action of the Turkish navy in the Mediterranean. Is this something that we should be furthering by two free frigates? I don't know. We haven't had hearings. We haven't had a markup. We haven't had a discussion on what limitations, what conditions, and what quantity of ships should be transferred.

I've come to this floor on over 100 occasions to vote on suspension bills renaming post offices. Most of those bills were subject to a markup in the appropriate committee. Shouldn't we give that same level of attention to the transfer of frigates to Turkey?

Send this bill back to committee. Let us have a real discussion. Let us follow the rules, not suspend the rules, when we're dealing with a matter of this importance to our foreign policy in the eastern Mediterranean.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I now yield 5 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Speaker, I want to thank the soon-to-be ranking member of the Foreign Affairs Committee, Congressman ENGEL, for yielding this time, and I want to thank him for his eloquent opposition to H.R. 6649.

This is not a noncontroversial bill. I know it's being brought here on suspension as though it is, and I'm sure in the past when we've had these transfers of vessels, excess defense materials and so forth, often that is a noncontroversial action to take. In this case, it's anything but noncontroversial, and I'm surprised, frankly, that the majority would bring the bill to the floor in this form.

Turkey is the problem here. There are vessels that are being transferred to Turkey. These are vessels that apparently are obsolete from our standpoint, surplus material that can go to them. And, yes, Turkey is a NATO ally, but it's a problematic ally at best.

At critical moments over a period of many years, when the United States has looked to its ally Turkey for assistance for some critical support, Turkey has been absent. You've heard already, discussed at length here, the unlawful occupation of Cyprus. We're

talking about 38 years of unlawful occupation of our ally Cyprus. The adventurism of Turkey in the eastern Mediterranean and its recent conduct towards Israel has been detailed here at length.

□ 1330

So what you have is, yes, an American ally but one that has created some real problems for us and is a destabilizing actor in the eastern Mediterranean.

You can only characterize Turkey's behavior in that region as gunboat diplomacy. When you look at its conduct towards Cyprus, towards Israel, its interference with American commercial interests that are trying to operate in the exclusive economic zone of these two nations that are critical to U.S. national security, Turkey has threatened to use force to stop Texas-based Noble Energy from drilling for oil and gas off the shores of Cyprus and Israel. Texas-based Noble Energy is an American company, and yet we are now going to transfer these vessels to Turkey for further adventurism on the high seas. You've heard this now detailed on both sides. At one point in the last year and a half, Turkey threatened to mobilize its air and naval assets to escort ships to Gaza.

As Congressman ENGEL says, we're about to enhance those naval assets, with high anxiety on my part and, I think, on the part of other Members that they'll be used in furtherance of this same kind of provocative behavior. If we are going transfer these things, at the very least we ought to be putting some conditions on this transfer—that no offensive use of these vessels can be made and that they can't be used to traverse these exclusive economic zones that we've talked about. But this is going free of any conditions, and it's why I have severe reservations about it.

This could be an opportunity to step back and think about how we conduct our foreign policy. Every bill we pass here matters. It all makes a difference. This may be on suspension, and it may be getting rid of excess material, but it's a chance for us to send a powerful message in terms of the kind of foreign policy that the United States is going to exercise. Frankly, I don't think that Turkey should be a beneficiary of this bill given its conduct over many years, but particularly over the last couple of years. It sends the wrong message. It rewards bad behavior. For that reason, I oppose it.

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

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

Mr. Speaker, in a snapshot, this is the background to this bill and the inclusion of Turkey. I'd like to explain this.

These are DOD requests for our U.S. national security interests. Turkey is a NATO ally that DOD needs to continue participating in joint anti-piracy operations for which they would use these frigates. In light of the deteriorating situation regarding Syria and Turkey's critical role, DOD insisted that it was timely to do this transfer. Now, just a few years ago, in 2010, Congress authorized the grant transfer of three Osprey class minehunter coastal ships to Greece—Osprey MHC–51, Blackhawk MHC–58, and Shrike MHC–62.

So today's bill, Mr. Speaker, maintains the Turkey-Greece balance. This lowers costs to our U.S. Navy, as they won't have to deal with decommissioned frigates. This bill creates U.S. jobs, as the mammoth portion of maintenance work is done here in the United States.

On the issue of granting to Thailand, to Mexico, to Turkey versus the selling of the ships to Taiwan, this is what our U.S. Navy says:

> The determining factor on the grant or sale of extra defense articles is always what is in the best interest of the United States. Granting the hull does not make it free to the receiving nation. Among the types of extra defense articles that are granted to partner nations, ships are unique in that there is always a significant refurbishment cost paid by the receiving nation. The current legislation requires the refurbishment of the hulls here in the United States. This is approximately $60 million per hull; though with Turkey our experience has been that they will spend even more. Because of the high cost of refurbishment, we always try to grant the hulls.

Both Armed Services Committee Chairman MCKEON and Intelligence Committee Chairman ROGERS support this bill with the inclusion of Turkey.

Mr. Speaker, when our military officials tell me that they need these specific transfers, including to Turkey, because it is in our Nation's security interests and it advances our priorities, I believe that all of us here should take note. I trust our U.S. military when it comes to the operational needs and joint military and anti-piracy activities. This is why Turkey was included—and not at the last minute under the cover of night.

No, quite the contrary. For almost 2 weeks, the text of this bill has been posted not just for our fellow colleagues to review but for all of the American people to review at their leisure. This bill is a standard bill that is done at the end of each Congress. Two years ago, as I stated, under a different majority, a similar annual transfer bill was considered at the end of the session.

So, in short, Mr. Speaker, this bill helps our ally Taiwan. It advances our U.S. national security interests, and it reduces costs to our Navy. It creates jobs for Americans right here at home, and I hope that our colleagues see it as such.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 6649, 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. CURTIS, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3263. An act to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes.

H.R. 3641. An act to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes.

H.R. 4073. an act to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 114. An act to expand the boundary of the San Antonio Missions National Historical Park.

S. 140. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

S. 264. An act to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes.

S. 499. An act to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

S. 970. An act to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

S. 1047. An act to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, and the other purposes.

S. 1421. An act to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 1478. An act to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

S. 2015. An act to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

S. 3250. An act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, and for other purposes.

S. 3563. An act to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

S. 3715. An act to extend the limited antitrust exemption contained in the Pandemic and All-Hazards Preparedness Act.

RECESS

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

Accordingly (at 1 o'clock and 37 minutes p.m.), the House stood in recess.

□ 1744

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 5 o'clock and 44 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:

S. 3454, de novo;

H.R. 6612, de novo;

the Senate amendment to H.R. 6364, de novo.

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

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 3454) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. ROGERS) that the House suspend the rules and pass the bill.

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. SCHWEIKERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 373, nays 29, not voting 29, as follows:

[Roll No. 652]

YEAS—373

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cuellar
Culberson
Curson (MI)
Davis (CA)
DeFazio
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Paulsen
Payne
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
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
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—29

Amash
Blumenauer
Capuano
Cohen
Conyers
Cummings
Davis (IL)
DeGette
Doggett
Duncan (TN)
Ellison
Gibson
Grijalva
Gutierrez
Hahn
Holt
Honda
Jones
Kucinich
Lee (CA)
Lofgren, Zoe
Massie
McGovern
Miller, George
Olver
Pingree (ME)
Polis
Speier
Waters

NOT VOTING—29

Ackerman
Bass (NH)
Bono Mack
Burton (IN)
Castor (FL)
Costello
Crawford
Gallegly
Hinojosa
Johnson (IL)
Lewis (CA)
Lewis (GA)
Mack
Maloney
McCarthy (NY)
Pascrell
Pastor (AZ)
Paul
Pelosi
Rohrabacher
Ross (FL)
Roybal-Allard
Schmidt
Shuler
Simpson
Stark
Towns
Waxman
Woolsey

□ 1805

Messrs. CONYERS, COHEN, CUMMINGS, DOGGETT, GRIJALVA, and Ms. SPEIER changed their vote from ''yea'' to ''nay.''

Mr. SERRANO changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NEIL A. ARMSTRONG FLIGHT RESEARCH CENTER AND HUGH L. DRYDEN AERONAUTICAL TEST RANGE DESIGNATION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6612) to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

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. HALL) that the House suspend the rules and pass the bill.

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 Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 27, as follows:

[Roll No. 653]

YEAS—404

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
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)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
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
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
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
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Manzullo
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
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
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—27

Ackerman
Bass (CA)
Bass (NH)
Bono Mack
Burton (IN)
Costello
Gallegly
Hinojosa
Johnson (IL)
Lewis (CA)
Lewis (GA)
Mack
Maloney
McCarthy (NY)
Pastor (AZ)
Paul
Rohrabacher
Ross (FL)
Roybal-Allard
Schmidt
Shuler
Simpson
Stark
Towns
Walberg
Waxman
Woolsey

□ 1812

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WORLD WAR I CENTENNIAL COMMISSION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the Senate amendment to the bill (H.R. 6364) to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes.

The Clerk read the title of the bill.

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

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. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 5, not voting 25, as follows:

[Roll No. 654]

YEAS—401

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
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)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
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
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
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
Langevin
Lankford
Larsen (WA)

Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
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
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—5

Amash
Flores
Massie
Ribble
Schweikert

NOT VOTING—25

Ackerman
Bass (NH)
Bono Mack
Burton (IN)
Costello
Gallegly
Hinojosa
Johnson (IL)
Lewis (CA)
Lewis (GA)
Mack
Maloney
McCarthy (NY)
Pastor (AZ)
Paul
Rohrabacher
Ross (FL)
Roybal-Allard
Schmidt
Shuler
Simpson
Stark
Towns
Waxman
Woolsey

□ 1822

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.

HOUR OF MEETING ON TOMORROW

Mr. WESTMORELAND. Mr. Speaker, 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 Georgia?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 140. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes; to the Committee on Natural Resources.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3263. An act to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes.

H.R. 3641. An act to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes.

H.R. 4057. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes.

H.R. 4073. An act to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875.

H.R. 6014. An act to authorize the Attorney General to award grants for States to implement DNA arrestee collections processes.

H.R. 6620. An act to amend title 18, United States Code, to eliminate certain limitations on the length of Secret Service Protection for former Presidents and for the children of former Presidents.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 3202. An act to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes.

S. 3666. An act to amend the Animal Welfare Act to modify the definition of ''exhibitor''.

ADJOURNMENT

Mr. DUFFY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 1, 2013, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8960. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Live Swine, Swine Semen, Pork, and Pork Products; Estonia, Hungary, Slovakia, and Slovenia [Docket No.: APHIS-2008-0043] (RIN: 0579-AD20) received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8961. A letter from the Acting Principal Deputy, Department of Defense, transmitting the interim response to section 519 of the National Defense Authorization Act for 2012; to the Committee on Armed Services.

8962. A letter from the Under Secretary, Department of Defense, transmitting the fiscal year 2010 report entitled, ''Operation and Financial Support of Military Museums''; to the Committee on Armed Services.

8963. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Chesterfield County, VA, et. al) [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8259] received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8964. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the annual report of the National Advisory Council on International Monetary and Financial Policies for fiscal year 2011; to the Committee on Financial Services.

8965. A letter from the Assistant to the Board, Federal Reserve System, transmitting the System's final rule — Community Reinvestment Act Regulations [Regulation BB; Docket No.: R-1454] received December 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8966. A letter from the Director, Division of Regulations, Legislation, and Interpretation, Department of Labor, transmitting the Department's final rule — Nondisplacement of Qualified Workers Under Service Contracts; Effective Date (RIN: 1215-AB69; 1235-AA02) received December 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8967. A letter from the Administrator, Department of Energy, transmitting A report on ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran'', pursuant to 22 U.S.C. 68513(a) Public Law 112-81, section 1245(d)(4); to the Committee on Energy and Commerce.

8968. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Test Procedures for Residential Water Heaters, Direct Heating Equipment, and Pool Heaters (Standby Mode and Off Mode) [Docket No.: EERE-2009-BT-TP-0013] (RIN: 1904-AB95) received December 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8969. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Annual Report entitled, ''Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2011''; to the Committee on Energy and Commerce.

8970. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled ''Performance

Evaluation of Accreditation Bodies under the Mammography Quality Standards Act of 1992 as amended by the Mammography Quality Standards Reauthorization Acts of 1998 and 2004'' covering January 1, 2011, through December 31, 2011; to the Committee on Energy and Commerce.

8971. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Control of Communicable Diseases: Foreign; Scope and Definitions [Docket No.: CDC-2012-0017] (RIN: 0920-AA12) received December 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8972. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Control of Communicable Diseases: Interstate; Scope and Definitions [Docket No.: CDC-2012-0016] (RIN: 0920-AA22) received December 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8973. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware, New Jersey, and Pennsylvania; Determination of Attainment of the 2006 24-hour Fine Particulate Matter Standard for the Philadelphia-Wilmington, PA-NJ-DE Nonattainment Area [EPA-R03-OAR-2012-0371; FRL-9765-9] received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8974. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Health and Safety Data Reporting; Addition of Certain Chemicals; Withdrawal of Final Rule [EPA-HQ-OPPT-2011-0363; FRL-9375-3] (RIN: 2070-AJ89) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8975. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Alaska: Eagle River PM 10 Nonattainment Area Limited Maintenance Plan and Redesignation Request [Docket #: EPA-R10-OAR-2010-0914; FRL-9764-7] received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8976. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Utah; Determination of Clean Data for the 1987 PM10 Standard for the Ogden Area [EPA-R08-OAR-2012-0446; FRL-9765-6] received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8977. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Ohio Portion of the Huntington-Ashland 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment [EPA-R05-OAR-2011-0468; FRL-9764-9] received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8978. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Colorado; Regional Haze State Implementation Plan [EPA-R08-OAR-2011-0770; FRL-9734-8] received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8979. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Primary Drinking Water Regulations: Revisions to the Total Coliform Rule [EPA-HQ-OW-2008-0878; FRL-9684-8] (RIN: 2040-AD94) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8980. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rule on Certain Chemical Substances; Removal of Significant New Use Rules [EPA-HQ-OPPT-2011-0941; FRL-9369-8] (RIN: 2070-AB27) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8981. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-02, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

8982. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

8983. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of a possible unauthorized retransfer of technical data and unauthorized retransfer of hardware provided by the United States; to the Committee on Foreign Affairs.

8984. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-139, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8985. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-173, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8986. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-169, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8987. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Foreign Affairs.

8988. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency blocking property of the Government of the Russian Federation relating to the dispositing of the highly enriched uranium extracted from nuclear weapons that was declared in Executive Order 13617 of June 25, 2012; to the Committee on Foreign Affairs.

8989. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Foreign Affairs.

8990. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Foreign Affairs.

8991. A letter from the Chairman, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period April 1, 2012 through September 30, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

8992. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Closing of the Port of Whitetail, MT [Docket No.: USCBP-2011-0017] (RIN: 1651-AA93) received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8993. A letter from the Secretary, Department Health and Human Services, transmitting Targeted Grants to Increase the Well-Being of, and to Improve the Permanency Outcomes for, Children Affected by Methamphetamine or Other Substance Abuse: Second Annual Report to Congress; to the Committee on Ways and Means.

8994. A letter from the Secretary, Department of Labor, transmitting the Department's nineteenth annual report prepared in accordance with section 207 of the Andean Trade Preference Act (ATPA); to the Committee on Ways and Means.

8995. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Partner's Distributive Share [TD 9607] (RIN: 1545-BJ37) received December 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8996. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Use of Controlled Corporations to Avoid the Application of Section 304 [TD 9606] (RIN: 1545-BI13) received December 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8997. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Appeals Settlement Guideline — Military Disability Retirement Benefits [UIL: 104.04-00 & 122.01-00] received December 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8998. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — January 2013 (Rev. Rul. 2013-1) received December 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8999. A letter from the Chair, Board of Directors, Office of Compliance, transmitting a report entitled ''Recommendations for Improvements to the Congressional Accountability Act''; jointly to the Committees on House Administration and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 752. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 112–735). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4194. A bill to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes (Rept. 112–736). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4019. A bill to increase employment and educational opportunities in, and improve the economic stability of, counties containing Federal forest land, while also reducing the cost of managing such land, by providing such counties a dependable source of revenue from such land, and for other purposes; with an amendment (Rept. 112–737 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. DANIEL E. LUNGREN of California: Committee on House Administration. Fourth Semiannual Report on the Activities of the Committee on House Administration (Rept. 112–738). Referred to the Committee of the Whole House on the state of the Union.

Mr. BONNER: Committee on Ethics. Summary of Activities of the Committee on Ethics for the 112th Congress (Rept. 112–739). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 940 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 4019 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FLORES:

H.R. 6720. A bill to provide that no pay adjustment for Members of Congress shall be made in fiscal year 2013 or 2014; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself, Mr. BUCSHON, Mr. HUIZENGA of Michigan, Ms. JENKINS, Mrs. HARTZLER, Mr. JONES, Mr. BURGESS, Mr. LANCE, Mr. REED, Mr. MARCHANT, Mr. PLATTS, Mr. WITTMAN, Mr. CARNEY, Mr. RIBBLE, Mr. FLORES, Mr. PAUL, Mr. GRIFFIN of Arkansas, Mr. BARLETTA, Mr. LOEBSACK, Mrs. BLACK, Mr. GARDNER, Mr. JOHNSON of Ohio, Mr. AUSTRIA, Mr. MCKINLEY, Mr. LATTA, Mr. DENT, and Mr. GIBSON):

H.R. 6721. A bill to provide that no pay adjustment for Members of Congress shall be made in fiscal year 2013 or 2014; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. BACHMANN:

H.R. 6722. A bill to provide that no pay adjustment for Members of Congress shall be made in fiscal year 2013; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. EMERSON:

H.R. 6723. A bill to provide for Inspector General oversight for Federal entities not otherwise subject to such oversight, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KELLY:

H.R. 6724. A bill to reform United States export control restrictions relating to commercially-available automotive products and technologies, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MORAN:

H.R. 6725. A bill to provide for greater safety in the use of firearms; to the Committee on the Judiciary.

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. FLORES:

H.R. 6720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1:

''The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.'' and Clause 1 of Section 1 of Article I, which states ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mr. FITZPATRICK:

H.R. 6721.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the Constitution, which states ''The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.'' and Clause 1 of Section 1 of Article I, which states ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mrs. BACHMANN:

H.R. 6722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1 of the Constitution that states ''The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.''

The 27th Amendment to the Constitution states ''Now law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.''

By Mrs. EMERSON:

H.R. 6723.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. KELLY:

H.R. 6724.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution, which gives Congress the power to regulate commerce w/foreign nations, and among the several states, and with the Indian tribes.

By Mr. MORAN:

H.R. 6725.

Congress has the power to enact this legislation pursuant to the following:

This bill in enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 3 and Clause 18 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. 2221: Mr. ENGEL.
H.R. 3855: Mr. AMASH.
H.R. 4202: Mr. CAPUANO.
H.R. 4221: Mr. RANGEL.
H.R. 5741: Ms. WILSON of Florida.
H.R. 6446: Mr. GARDNER.
H.R. 6600: Mr. TURNER of New York.
H. Res. 823: Ms. ROYBAL-ALLARD.
H. Res. 834: Mr. VAN HOLLEN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, MONDAY, DECEMBER 31, 2012 No. 171

Senate

(Legislative day of Sunday, December 30, 2012)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore (PATRICK J. LEAHY).

PRAYER

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

Let us pray.

Almighty God, we praise Your Name. You are high over all the nations and Your glory is greater than the Heaven. Let Your spirit move our lawmakers to do Your will. Teach them valuable lessons from Your hardships and adversities, as they work to be worthy of the sacrifices of those who have already given so much for freedom. Lift them from the darkness of hopelessness so that they may take steps toward Your light. May Your presence and grace bring comfort as You inspire them to choose what is right and just. May they take the tide that leads to fortune rather than risk a national voyage bound in shackles and in miseries.

We pray in your powerful Name.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY 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.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, we will be in a period of morning business with Senators permitted to speak up to 10 minutes each.

THE FISCAL CLIFF

Mr. REID. Mr. President, discussions continue on a plan to protect middle-class families from a tax increase tomorrow. There are a number of issues on which the two sides are still apart, but negotiations are continuing as I speak.

We are running out of time. Americans are still threatened with the tax hike in just a few hours. I hope we can keep in mind—and I know we will—that our single most important goal is to protect the middle-class families. Whether or not we reach an agreement in the short time we have left, we will need cooperation on both sides to prevent taxes from going up tomorrow for every family in America.

I repeat, there are still some issues we need to resolve before we can bring legislation to the floor.

I yield the floor.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 12 noon for debate only, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Iowa.

Mr. HARKIN. Mr. President, I understand we are in a period of morning business.

The PRESIDENT pro tempore. The Senator is correct.

THE FISCAL CLIFF

Mr. HARKIN. Mr. President, I was disturbed to read in the Washington Post this morning that some agreements were being made, that Democrats have agreed to raise the level from $250,000 to $450,000 and we would keep the estate taxes at the $5 million level at 35 percent.

All I can say is this is one Democrat who does not agree with that at all. What it looks like is all the taxes are going to be made permanent, but those items that the middle-class in America truly depend on are extended for 1 year—maybe 2 years at the most. I think that is grossly unfair.

We are going to lock in forever the idea that $450,000 a year is middle class in America? Need I remind people that those making $250,000 are the top 2 percent income earners in America? I know the President keeps saying he wants to protect tax cuts for the middle class, which is fine. I am all for that. If we go up to $250,000, that is a pill we can swallow because that covers everyone except the top 2 percent. Those who make $250,000 a year are not middle class. They are the top 2 percent of income earners in America.

What have we forgotten? Have we forgotten that the average income earners in America are making $25,000, $30,000, $40,000, $50,000, $60,000 a year? That is the real middle class in America, and they are the ones who are getting hammered right now. They are getting hammered with housing and rental costs, heating bills, kids going to school, and they have no retirement. Now there is talk about raising the retirement age on people who work hard every day. There are women who have been standing on their feet every day for 30 or 40 years. Are they going to raise the retirement age on them again?

If we are going to have some kind of deal, the deal must be one that truly does favor the real middle class. Those who are making $30,000, $40,000, $50,000, 60,000, $70,000 a year are the real middle

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

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class in America. Quite frankly, as I see this develop—and as I have said before—no deal is better than a bad deal and this looks like a very bad deal the way this is shaping up. I wish to make it clear I am all in favor of compromise. I have been here a long time, and I have made a lot of compromises. I am willing to make more compromises, but this is one point in time where decisions which are made on this so-called deal will potentially lock in what kind of country and society we are going to be for the next 10 years. So we better be darned careful.

If no deal is reached, then on the tax side we go back to the taxes that were enacted under President Clinton. All the Democrats who were here then voted for the Clinton tax bill in 1993. We heard all kinds of talk from the other side of the aisle of how this was going to be disastrous, kill the economy, and it was going to be awful. Not one Republican supported it, but we passed it. President Clinton signed it into law, and guess what happened. The economy took off. Unemployment came down, the economy started going, and we were paying down the deficit. We had 3 or 4 straight years of surpluses. CBO said if we continued down that path, we would pay off the national debt by 2010.

Then George Bush came into office. They looked at all the surpluses out there and said: Guess what. We have to take some of that and give it back in tax cuts, and that is what they did. That is what will end tonight. Those Bush tax cuts will end, and we will go back to the tax system we had under Bill Clinton. What is so bad about that? It worked pretty darned well. The economy was going well, and we were paying down the deficit. Things were going well under Bill Clinton and that tax system and that is what we will go back to tomorrow. What is so bad about that?

What has happened in the last 10 years is a lot of people have gotten very rich in this country and now they want to protect their wealth. That is what they want to do. They want to lock in this system on estate taxes and lower tax rates up to $450,000, $500,000, $1 million or whatever they want and they want to lock that in. I think it is time for them to start paying their fair share, as they did under the Clinton tax provisions we had in place at that time.

To go back to the tax provisions we had under Bill Clinton does not frighten me one bit, but now we hear the same song and dance from the Republicans: Oh, if we do that, the sky is going to fall, the world will end tomorrow, and the markets will go all to heck. We heard that in 1993, and they were wrong. We are hearing it again today about what will happen if we go back to the Clinton-era tax provisions. They say the sky is going to fall, and they are wrong again. They are just wrong again.

I, for one, do not fear going back to a system of taxation that basically worked very well for our country. It was the Bush tax cuts that messed everything up for 10 years and allowed a few people to get very rich but kept the middle class from advancing at all.

Again, this idea that somehow a deal is going to be cooked up and all these tax advantages people had over the last 10 years and have now in estate taxes will be permanent does not sit well with this Senator. Yet when we are talking about unemployment insurance, investments in other parts of our economy, the sustainable growth rate for our hospitals, doctors, and Medicare, that is only good for 1 or 2 years. But the tax side that lets those most privileged in our society continue to not pay the share that I think they should be paying is not a good deal. That is not fair, that is not equitable, and that is not just.

I hope those who are negotiating continue to negotiate. If there is a deal that could be made which truly does focus on the middle class and gets our estate taxes back where they were before—at some reasonable level and not at the level they are right now—then maybe we could live with something such as that. But from what I read this morning, the direction they are headed is absolutely the wrong direction for our country.

I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. 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.

Mrs. BOXER. Mr. President, we are all here and hopeful there will be a deal so we can avert going over the fiscal cliff. I listened carefully to the remarks of my friend Senator HARKIN, which I would have to describe as fairly negative. I wish to project a bit more of a positive view.

We all know that no side, if there is a deal, is going to get 100 percent of what they want. We know that because one party doesn't control everything, so we are going to have to meet somewhere in the middle of where both parties stand. We also know if we don't act, 100 percent of the American people are going to start feeling an impact of higher taxes.

I honestly do not worry about the millionaires and the billionaires at all. I don't worry about the people who are fine, who don't even know or care that much about a tax hike that takes them back to the Clinton years when they did very well. I don't worry about those folks. I worry about the folks in the middle. There are always arguments about what that line is. Some say the middle class is at $75,000, some say $150,000, and some go even higher because their States, as is my State, are very high cost-of-living States. So we know if we are going to get a deal, we are going to have to meet somewhere in the middle. To me, if we fail, it will be a very sad moment in history.

I hear a lot of talk about the sequester. I don't know exactly how the President pro tempore voted, but I voted for a sequester if we couldn't find savings as part of a debt limit deal. I am not about to stand here and say we should throw it out. I don't like it; it will bite. But if we said we are going to make savings, and if we couldn't do it one way we would do it through the sequester, then I think we have to step to the plate and admit that is the policy we voted for.

I would much prefer to ease it, and I think there are ways to do that. One way is to bring the money home from the overseas spending account and use that money because we are getting out of Afghanistan, thank God, and the war in Iraq is over. So we could bring home that overseas war account money and use that to soften the sequester or even to stop it completely. My understanding is my Republican colleagues don't view that as real, but the Congressional Budget Office says it is real. So that is a way we can stop the sequester.

Other than that, I think we have to own up to the fact that in the debt ceiling made-up crisis—this is a made-up crisis and that was a made-up crisis—we said if there were not cuts coming forward, we could go to an automatic spending cut regime. We can't run away from things we did, it seems to me.

So I think there are the elements of putting something together. I know the Vice President is working hard with Senator MCCONNELL and Senator REID as an honest broker to bring us together. I know Senator HARKIN is not very optimistic at this point based on what he is hearing. I believe, from what I am hearing, there may be something, maybe—there may not be; we don't know, we haven't seen it. It may be something that extends unemployment benefits, which is very important. It is critical. If we want to talk about the real cliff, it is for the people who are about to lose their unemployment compensation.

The economists tell us that is the best bang for the buck. When we give someone who is unemployed a dollar, he goes out, she goes out, they spend in the community, and it has a multiplier effect that actually spurs economic growth in the community because 70 percent of our economy is based on consumers. If they have nothing, then the communities have nothing, the local businesses have nothing, let alone they would suffer and some, perhaps, lose their houses and such. So we need to do that. That is critical.

If that is not in the deal, that deal is a real problem. So if that is in there, and we do the tax extenders even for a shorter period of time, and we stop raising taxes on 98 percent, 97 percent of the people, I don't think we should

prejudge that at this point. The devil is always in the details. Something could come out that is just a nonstarter.

Senator REID went down to that microphone yesterday and said to the Republicans: We are not cutting Social Security benefits; that is not part of this package: Don't even put it on the table; stop. After the Republicans had their luncheon meeting, they came out and actually took it off the table. That was positive. Don't try to slip things in here that could hurt the people, that will balance the budget on the backs of those who can't do it. Don't bring up Social Security when we are doing a very short term deal to get us over this cliff.

So none of us, except for a couple of people, really know what is in this deal. We are hearing leaks about it, we are hearing rumors about it, but we don't know if we will have the deal. Personally, I hope we have something we can look at and decide whether it is something we can support and not prejudge it at this stage because we have to remember something: This is a compromise. We don't have a parliamentary system of government. One party doesn't run the show. It is shared responsibility. It is frustrating, and it is difficult.

I was able to bring a highway bill to the floor as the chairman of the Environmental and Public Works Committee, doing it with Senator INHOFE, and a person couldn't find two people more philosophically apart than we are. I have seen the President pro tempore do the same in his committee, working with the other side, and he brought out of his committee an incredible bill called the Violence Against Women Act. He did it with the Republicans.

I watched Senator STABENOW and PAT ROBERTS come forward with a farm bill. I have watched Senator FEINSTEIN in intelligence, and I have watched Senator LEVIN and Senator MCCAIN. We can make it happen. It can happen. We have to make it happen.

I will close with this: I served in the House for 10 years. I served with incredible Members. One of them was Tip O'Neill, and he was the Speaker. Tip O'Neill had a certain magic about him. The magic was he understood how to get things done because he didn't consider himself Speaker of the Democrats; he considered himself Speaker of the House. He knew the magic number was 218. That was the number. He would come over to me and every Member when there was a tough vote, and he would say: Well, BARBARA, can you be with me on this one?

I would say: Gee, Mr. Speaker, I don't think so. It is not good for my district. I really don't think I can.

He would say to me: Well, you know what. If that is how you feel about it, I understand. If I need you, I will come back to you.

Then he would go do the same thing and pick up some Republicans on the other side, and he would get the magic 218 and it would be done.

Right now we have Speaker BOEHNER, whom I know and like personally, but it seems as though he doesn't want to talk to the Democrats. Nothing is going to get done for our country if we don't talk to each other. We don't have a parliamentary system. We have to work together.

So I wanted to add at least a cautiously optimistic note. I am hopeful we will get something done, and I think if we do, and if it is fair—fair enough—we should get our country off this cliff.

Thank you very much. I yield the floor.

The PRESIDING OFFICER (Mr. BINGAMAN). The Senator from Vermont.

Mr. LEAHY. Mr. President, I guess one of the advantages of being President pro tempore is I actually get to preside more than I had for a while and hear some of the speeches of my colleagues, which I appreciate. The Senate is a place I love, as I know the distinguished Presiding Officer does. It is, as I have often said, a place that should be considered the conscience of the Nation. There are only 100 of us representing over 300 million Americans. We should be able to stand and be their conscience.

I worry, though—as I hear the debate on this so-called fiscal cliff and I hear some on the other side say, well, we are not prepared to vote or we don't want to vote—because that means they want to vote maybe. None of us were elected on a promise to vote maybe.

If the other side wants to vote and give huge tax cuts to longtime millionaires, fine, then vote. Vote yes for that if they want. But don't say: We will not have any vote one way or the other; we will vote maybe.

We are supposed to be willing to take the consequences of how we vote. Vote yes or vote no. If a Member wants to vote for keeping taxes lower for the middle class, for those who have hourly wages, for those who work hard in our economy, then stand and vote yes, we want to give them a tax break. If a Member doesn't want to give them a tax break, then vote no. But what is happening, by refusing to vote at all, whether it is the Republicans in the House of Representatives or in the Senate, what they are doing with their ''maybe'' vote is they are going to dramatically increase taxes on the middle class. Then, in an effort to justify that, they say: We wanted to vote maybe because we wanted in the end run to protect millionaires.

Well, millionaires do all right. I know a lot of millionaires. They have told me, as the Senator from Iowa said earlier this morning, they could afford the taxes they paid during the Clinton era because during that era, they made more money than they had ever made. So they paid some of the higher taxes. So what. The amount of money they had at the end of the year was greater than it ever had been.

But we know what happened during that Clinton era. We balanced the budget—incidentally, not a single Republican voted for the plan. In fact, they gave speeches on the floor that the plan would bring about recession, even a depression. Instead, the economy grew faster than it ever had before. People had more money in their pockets than they ever had before. We balanced the budget, and we started paying down the national debt.

When the next administration came in, they gave everybody, including millionaires, a big tax cut. But worse than that, they began a war in Iraq that never should have begun, against Iraq, which had nothing to do with 9/11, even though we had the Vice President of the United States suggesting in his speeches it was connected with 9/11, claiming there were weapons of mass destruction, even though those who actually read the intelligence—as the former vice chairman of the Intelligence Committee, Senator GRAHAM of Florida, did, and I did—realized there were no weapons of mass destruction. But they voted for this war.

One of the bad mistakes they made—other than the tragic mistake of going to a war we had no reason to go to; one that cost us thousands of American lives and countless thousands of other lives and $1 trillion—they did something we had never done before in the history of this country, they said: We will go to that war on a credit card. We will just borrow the money.

Vietnam was an unpopular war, but we had a surtax to pay for it. Korea was an unpopular war. We paid for it. World War II—we knew it was the survival of our Nation, and we paid for it. In Iraq, we have spent $1 trillion and we will be spending for longer than any of us in this body will probably live, as we pay for the damage to so many of our brave men and women, and we borrowed the money. We took the surpluses built up over the Clinton era and wasted them.

We are doing the same thing in Afghanistan. This is a country where our reason for going in there was to get Osama bin Laden. When the decision was made to go into Iraq, it allowed Osama bin Laden to escape. We go into a nation-building war, which seems to have no end, again, on a credit card. Osama bin Laden has been dead now for some time. We ought to—to use a phrase of a former Senator from Vermont—we ought to declare victory and get out. But, again, we are doing it on a credit card.

So what do we say? We have two wars we should not be in, and we say: But we have to pay for it. We ought to take some money away from senior citizens. We ought to take money away from education. We ought to take money away from medical research. We ought to take money away from rebuilding what needs to be done in our country to pay for two wars we put on our credit card.

Come on. As one Vermonter said to me: You spend all this money to build these roads and bridges in Iraq and Afghanistan and then they blow them up.

Why don't you rebuild our roads and bridges in America? We Americans will take care of them.

So with all the talk of where we are, let's not forget the big elephant in the room; that is, two wars on a credit card—one going far longer than it had any reason to, the other one totally unnecessary in the first place—as much as a couple trillion dollars between the two of them. That was money that could have been spent in America for Americans to make America better. We have wasted it there. Now we say: How can we punish Americans—the average American. How can we punish them for the mistakes we made in going into two wars. We will punish them to pay for it.

Come on. Let's face up to reality.

I suspect I may have more to say on this in the future.

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

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

Mr. THUNE. Mr. President, we are at the last hour, if you will, the last day for sure, in dealing with what has become probably the biggest fiscal crisis our country has dealt with in some time. I have heard a number of my colleagues from the other side come down and talk about the importance of getting a solution. We all want to get a solution. We do not want to have a situation tomorrow where tax rates go up on everybody across this country who has an income tax liability. We obviously do not want to see our defense have to deal with what would be deep cuts in our national security budget. Those are two things that will happen tomorrow unless Congress can act to prevent that.

So count me among those who want to see a solution. I certainly hope the negotiations that are occurring right now can conclude in a way that will give us an outcome that prevents those tax rates from increasing on Americans across this country and also put in place some things that would actually deal with the real problem. The real problem is our country spends too much.

We are where we are because we have not done our work when we should have previously. Think about the fact that for 3 consecutive years—3 years in a row—in the Senate, we have not passed a budget. We spend $3.5 trillion of American taxpayer money every single year, and for 3 consecutive years we have not had a budget. The majority leader and the chairman of the Budget Committee and others on the other side have said: We passed a budget control act in August of 2011 and that sort of serves as our budget.

Frankly, that is not the case. The law requires us to pass a budget. We have a budget act, enacted back in the 1970s, that requires the Congress, on an annual basis, to lay out a plan for how we are going to spend the American taxpayers' money. The reason we ended up with a budget control act back in August of 2011 is because we failed to pass a budget earlier in the year.

For 3 consecutive years in the Senate we have not passed a budget. That is not to say our colleagues on the other side of the Capitol—the House of Representatives—have not acted responsibly. You may disagree with how they did it, but at least they did it. They passed a budget. The Senate, of course, has not for now 3 consecutive years.

So we went through this entire year. Everybody knew this was coming. This is not a surprise. This is the most forecast and foretold disaster we have ever seen. As we approached December 31 and the deadline we are dealing with today, we knew that starting January 1 taxes were going to go up on all Americans, at least all Americans who have an income tax liability, and we knew these cuts that were put in place in the Budget Control Act in August of 2011 were going to occur.

There should not be any element of surprise. We have known about this for a long time. Yet for month after month after month after month this year, nothing was done about it. I say nothing in the Senate; again, the House of Representatives, early this year—last summer—passed legislation that would extend the tax rates for everybody for 1 year. They passed legislation that would replace the across-the-board cuts that will start to take effect on January 2 with responsible spending reductions that actually do something to bend the curve of all these runaway programs, entitlement costs that are going to bankrupt this country in future years. They made some necessary reforms. Again, people may not agree with them. Obviously, there should be a process where in the Senate we have an opportunity to vote on a budget and make amendments. Perhaps we would do it a different way. I might have voted for something entirely different. But the point is, I did not have anything to vote for. Nobody over here did.

We have been here for a whole year, and now we have people coming up and saying: Gee, I hope, I truly wish these negotiations will get us to an outcome. It is December 31. January 1 is tomorrow. It will be 2013. Taxes will go up. Everybody agrees it will be a disaster for the economy. We cannot allow that to happen. It will ruin the economy.

Where were we? Where were we for the past month and the month before that and the month before that, dealing with what we knew was going to be this very set of circumstances we face today?

I find it very hard to sit and listen to people come up now and wring their hands and talk about: Gee whiz, I hope we can get something done in the last day—as we put two people together basically to resolve this.

There was a discussion—in fact, everybody says: Well, you know, the people who are getting together—it was the President and the Speaker at one time; it was Senator MCCONNELL and Senator REID at one time; now it is Senator MCCONNELL and Vice President BIDEN—but up until Friday, Senator MCCONNELL, the Republican leader, had not been consulted, had not been advised, had not been involved in any of this. So he gets the call at the last minute to try and come in and sort of rescue this, starts a negotiation that goes over the weekend, and then Saturday night makes a proposal to the Senate Democrats, and was told: We will react to your proposal by 10 o'clock Sunday morning. Ten o'clock Sunday morning passes, 11 o'clock, noon, 1 o'clock, 2 o'clock. He comes to the floor and says: We have not heard back. Then the majority leader comes up and says: Look, we do not have a counteroffer. We do not have a proposal.

So Senator MCCONNELL then gets on the phone with Vice President BIDEN, and that is now where those discussions are occurring. They are occurring between Vice President BIDEN and Senator MCCONNELL.

But my point is this: There are two people in a room deciding incredibly consequential issues for this country, while 99 other Senators and 435 Members of the House of Representatives—elected by their constituencies to come to Washington and to represent them—are on the sidelines.

Why didn't we have a bill on the floor of the Senate we could actually debate? Why didn't we put something out here under regular order, open it, allow Senators to offer amendments, allow them to have amendments voted on? I might not have liked that outcome. Maybe I would not have. Maybe I could not have voted for the final product. But at least we would have had an opportunity to debate this, instead of waiting now until the eleventh hour, where two people are gathered in a private room, trying to negotiate something that has enormous consequences for this country and for our economy.

We are where we are because this process was grossly mismanaged up until this point. So now we are faced with a crisis. There is great drama. If we listen to all the TV stations—at least those that cover what is going on here—they are all talking about the fiscal cliff. Instead of a countdown to the new year, we have a countdown to when we hit the fiscal cliff.

What does that say? It is the most predictable financial crisis we have ever known about. We have known about it for months. We have known about it since the temporary tax provisions were put in place 2 years ago. Yet here we are in the eleventh hour on the final day trying to negotiate with two people in a room making decisions that will have a profound impact on the future of this country.

I have to say that as I think about those negotiations that are going on,

most of what is being talked about is who will pay more in taxes. It is not a question of if, it is who is going to pay more in taxes. The ironic thing about it is that in those discussions—at least to my knowledge of them—there is very little being discussed, if anything, that deals with how this country is going to figure out a way to spend less, which is the problem.

OK, I mean, let's face it, Washington, DC, does not have a taxing problem, we have a spending problem. Now, Republicans have said and we are willing to consider, contemplate this idea of having more revenues in the equation. Granted, the President won an election and there is a majority of Democrats here in the Senate. That is their view. Obviously, we have a Republican House of Representatives that has a different point of view about how to solve this and is trying to do it by extending the rates for everybody so that nobody has their rates go up in the middle of a weak economy. There is a big difference of opinion about how to resolve this.

But I would argue to my colleagues on both sides that if what comes out of these discussions is something that raises additional revenue, that raises taxes on people in this country, it will not do anything to solve the problem. In fact, if you give the President of the United States everything he wants in terms of tax increases, you will raise enough revenue next year to fund the Federal Government for less than a single week. So what do we do for the other 358 days of the year? A single week—that is what all of these tax increases would amount to in terms of additional revenue.

This is not a revenue problem. This is a spending problem that can only be solved by having the political courage to confront the challenges that face this country, not just in the near term but in the long term, and get us on a sustainable fiscal path. That means we have to confront runaway spending and programs that, if not reformed, are going to bankrupt this country and saddle our children and grandchildren with an unbelievable burden of debt and a lower standard, a lower quality of life than anything we or any previous generation—well, not any previous generation but certainly our generation has experienced.

That is where we are today. We are talking about how much taxes are going to go up. And those taxes are going to hit people who create jobs. If you use the $250,000 level, there are about 1 million small businesses that will be impacted by these tax increases, and they employ 25 percent of the American workforce. So we have a lot of middle-class Americans whose jobs depend on the very small businesses that are going to see their taxes go up. This will impact middle-income, middle-class families in this country if taxes go up on small businesses.

If that level is raised to $400,000, it will affect fewer, obviously. If it is raised to 500,000, it will affect even fewer small businesses. But the point simply is this: You are hitting literally hundreds of thousands of small businesses that create millions of jobs for middle-class Americans with new taxes they will be paying, and that can't do anything but hurt the very economy we all say we want to get back on its feet.

So we are talking about tax increases at a time we ought to be talking about spending. Why do I say that? Well, if we go back to 2007, before the recession, the revenues coming into the Federal Government were about $2½ trillion give or take, round numbers, about $2½ trillion. Well, this year revenues coming into the Federal Government are going to be back to about $2½ trillion.

We went through a terrible recession. People call it the great recession. It had a profound impact on the economy—obviously a lot less economic growth, and a recession leads to lower government revenues. So we had a period where government revenues dropped. Well, government revenues are now back to where they were in 2007.

Spending in 2007 was about $2.7 trillion. Today it is more than $3½ trillion. So spending has increased by almost $1 trillion—almost $1 trillion in the last 5 years, at a time when the revenues have stayed relatively flat. But the point simply is this: The reason we are running a trillion-dollar deficit this year and the year after that and the year after that is because the spending of the Federal Government has exploded in the last 5 years. So this is not a revenue problem. The revenues are essentially the same as they were 5 years ago.

Arguably, people would say that if we have a growing economy, we ought to get more revenue. And we would if we had a growing economy. The goal ought to be to get the economy growing again in a more robust fashion so that we are generating additional revenues coming into the Federal Government that would make these problems, the dimensions of those problems look smaller by comparison. That is why policies that hurt the economy, that slow economic growth—and everybody concludes that raising taxes in the middle of a weak economy is a bad idea if you are interested in generating more economic growth and creating jobs. That, to me, seems to be just intuitive. I think everybody would agree with that, but certainly it is a well-known, documented fact among economists that if you raise taxes, you are going to have lower economic growth, you are going to reduce the rate at which the economy grows and expands and therefore allows for job creation in this country.

The best thing we can go to is to get the economy growing and expanding again, and then all of these problems look much smaller by comparison. That means having policies in place that allow small businesses to do what they do best, and that is to create jobs, that provide incentives to invest and to hire people. When you operate in a period of economic uncertainty like we have today with these uncertain tax rates, where you have tax rates that are going to go up, regulatory burdens that continue to go up, you constantly make it more expensive and more difficult for small businesses to create jobs. Creating jobs and growing the economy ought to be our goal. That is so counterintuitive, to think that raising taxes would somehow accomplish that goal.

So as we sit here on the last day before these tax rates go up, as we try to scramble now at the last minute to find a resolution, I would simply say and urge my colleagues that we not let this happen again, that we not be here next year or the year after waiting while two people sit in a room and try to cut a deal that most of us have not been privy to or consulted about.

The American people obviously are the ones who are ultimately impacted by that, but they have not had an opportunity to have a role in this, to observe what their elected leaders are doing to solve the big problems that face this country. We ought to be functioning the way the Senate used to function; that is, put bills on the floor, allow amendments to be offered and voted on, and then whatever that outcome is, ultimately the House of Representative will pass their version of it, perhaps we will have a conference committee, and hopefully we can get something we can put on the President's desk. That is the way it used to work.

But now we are sitting here because we have twiddled our thumbs for month after month after month in the Senate and not passed a budget, not dealt with this issue in any substantial or meaningful way, and now we are sitting here on New Year's Eve—on New Year's Eve. The countdown on the television is not how many hours and minutes are left until we hit the new year, the countdown on the television is the number of hours and minutes that are left until the country goes over the fiscal cliff.

Think about what that says about this process, about the Senate—100 people elected to make big decisions to advance the interests of and put this country on a better path to a better future that is more secure, more safe, and more prosperous for our children and grandchildren. That is what should happen, but it should have happened months ago.

So I hope we get a result here today that addresses some of these issues—certainly, hopefully, something that will address the tax issue. But that does not solve the problem. If the President gets everything he wants in new taxes, it will fund the government for less than a week. This is not a revenue problem. Washington does not tax people too little, it spends too much. Until we recognize that and deal with

what is driving Federal spending, we are going to continue to saddle future generations with more debt, with more liabilities, and with a lower standard of living and lower quality of life than we have experienced. That is not fair to them.

It is time for us to demonstrate the political courage that is necessary to take on the big issues and to have the votes. Let's have a budget. Let's put it on the floor. Let's vote on it. Let's do something around here that matters, that is meaningful to the future of this country, rather than wait until the last day and the last hour and allow two people to sit in a room and decide the fate and the future of this great country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, some of you may have heard that there is something called the fiscal cliff approaching and that we must do something about it or we will go over that cliff. But if you want to fix and do something about going over a cliff, you have to know what is the fiscal cliff. Well, the fiscal cliff, apparently, is taxes going up. So it must be a bad thing if your taxes go up.

People have said: Well, it is kind of like having people drowning. And people are drowning. What does that mean? That is a bad thing. Taxes going up is a bad thing. So what are they telling us? Let's save 98 out of 100 of them. Well, that sounds pretty good. I am for saving as many as we can. But that sort of implies that our policy is that drowning is a good thing; that we are going to let 2 percent drown; that raising taxes is bad if it happens to everyone—it is a cliff—but it is OK if it only happens to one or two people, and maybe you do not know them, and maybe they are rich people and we don't care.

Does anybody work for rich people? Does anybody know somebody who works at a car lot selling expensive cars but that person only makes $40,000 a year but he sells cars that are purchased by rich people? Does anybody remember the yacht tax? We were going to go get those rich people—had a special tax on yachts. Guess who lost their jobs. The working guy making $50,000 and $60,000 a year, because the rich people went to the Bahamas to buy their yachts. This is not about getting rich people. This is about what it will do to the economy, what it is going to do to the average middle-class person who works for a rich person.

But you have to understand what the fiscal cliff is. You have to understand that the President is telling you that it is a cliff and it is bad, and everybody on television thinks it is terrible to go over the cliff. What is the cliff? Taxes going up. But if it is bad for taxes to go up for a bunch of people, why it is good for taxes to go up on a small portion of people?

You say: Well they are rich. They can afford it.

Here is the problem. The rich pay most of the taxes in our country. The top 2 percent pay half of the taxes. What you are saying is that they are rich and they can afford it. But that is half of the Nation's income that will have increased taxes. You will take money from the productive sector, which is the private sector, and you will put it into the nonproductive sector, which is Washington.

So if you want ditches to be dug and then to be filled again, send more money to Washington. But if you want jobs to be created, if you want the economy to thrive, you should want to leave that money in your community. It should not matter to you whose money it is or who has it, you want that money—in my case, we want that money in Kentucky. We do not want to send it to Washington because there is no objective evidence that the money is well spent up here. There is no objective evidence that we are good with money up here. We should not send more money up here. We should leave more money in the private sector.

Now, Milton Friedman recognized this when he said: Nobody spends someone else's money as wisely as you spend your own. That in a nutshell, that in one sentence explains to you why the private sector is more efficient than the public sector. The public sector—it is not our money. So those of us up here who will spend it—that is why they spend $1 trillion more than they have each year. That is why they break their own budgetary rules. That is why there is no budget. That is why we live in an era of runaway spending. That is why your government is insolvent, your government is bankrupt.

Guess what. When you raise taxes on 2 percent of the people, there is a chance you will not get any more tax revenue because when you raise tax rates, you sometimes get less revenue. And the converse is true—sometimes you lower rates and you actually get more revenue. In the 1920s we lowered tax rates, and we got more revenue. Guess what. The rich paid a higher percentage of the revenue when we lowered rates.

We did it again in the 1960s under Kennedy. We did it again under Reagan. We grew at 7 percent one year under Reagan because we lowered rates and we unleashed an economic boom. That is what we want.

Do we want a government that is just envious, jealous, and wants to punish people or do we want a government that has sane and rational policies that will allow the economy to grow? That is what happened in the 1980s. We had 7 percent growth one year. We had millions of jobs created.

Mark my words. You will raise tax rates, and you will feel good because you went after and got those rich people because you said you were. You campaigned against rich people, you have enough envy whipped up in the country, you are going to get them, and you are going to stick it to those rich people. But guess what. You may not get any more revenue, you may not get any more economic growth, but you can say: I stuck it to the rich people.

That is what we are talking about. Some of you may say, well, we are going to do this, but maybe we will do something about spending at the same time. The one thing they are taking off the table is spending restraint. There will be no spending restraint. In fact, whatever deal comes out of here will increase spending. That is part of the deal. We are going to raise taxes, and we are going to raise spending. Tell me what is good about that.

There is a cliff approaching. It is not the cliff we hear about on TV. The cliff is a debt cliff. There is a debt crisis in our country. We now have a debt that equals our GDP. Our debt equals our economy. We are borrowing—while we are today dithering over a deal that will do nothing—we will borrow $4 billion today. We are borrowing $50,000 every second. Each man, woman, and child in this country owes more per capita in debt than they do in Greece.

So, by all means, let's complete a deal today so we can go home. Let's complete a deal. Let's raise taxes. Let's stick it to those rich people. Let's not touch spending, and let's pretend as if we have done something. The deal will do absolutely nothing to save this country.

Two-thirds of our spending is entitlements. The President has taken entitlements off the table. We will not reform the entitlement programs. Why are the entitlement programs broken? Is it Republicans' fault or Democrats' fault? No, it is your great-grandparents' fault. They had too many kids. It has nothing to do with partisan politics. There were a whole bunch of babies born after the war, and then there have been less babies born with each generation. It is nobody's fault, but it is not working. We spend more on Social Security than comes in in taxes. That is a problem.

On Medicare, it is even worse. We spend $3 for every dollar we collect in Medicare. Does anybody think that is going to work? It has been going on for a long time now and it is getting worse. We owe $35 to $40 trillion on Medicare, and it is not getting any better.

So what do the retirement groups say? AARP says: Absolutely, don't touch it. Oh, that is great. That is part of the solution. Don't touch it.

What does the President say? Entitlements are off the table.

What does the majority leader say? We will not do anything about entitlements. Oh, well, great. This is going to be a real great solution. We are really going to do a lot—but we are going to stick it to rich people.

I hope nobody works for any of these rich people. I hope nobody sells any of this stuff to rich people.

So the thing is, look at what is going on up here, and when you ask for action, don't ask for any action. We have

to figure out what the problem is before we can get to what we need to do.

People say, well, we have raised taxes; we just need more revenue. Spending, as measured as a percentage of the economy, 4 years ago we were spending 20 percent of our GDP. We are now spending 25 percent of our GDP. When we say on our side that it is a spending problem, it absolutely is, it absolutely is, and it is out of control.

Guess what. Most of it is called mandatory spending. That means entitlements. We can't do anything about it. They are now taken off the table.

Now, about a year ago, you may remember there was this big debate, the Budget Control Act. There was a big debate over raising the debt ceiling, and they attached to it some slowdown in spending. Now, these were not cuts; the sequester is not a cut in spending. It is repeated all the time on TV that the sequester is a cut, but it is not a cut; it is a slowdown in the rate of growth. But it is at least going in the right direction.

So what is the one thing we hear now that is going to be part of this deal? We are going to get rid of the sequester. So the one even pretend, make-believe attempt to try to slow down spending, they are going to jettison it. They are going to kick the can down the road—but we are going to get those rich people. We are going to attack those rich people.

We have to wake up soon as a country. We are literally insolvent. Some say, well, we are a great and powerful country. Bad things could never happen to us. It can, and it has happened to great civilized countries. Do you know what they do. Great and civilized countries can destroy their currency. We have printed trillions upon trillions of dollars, and we are in danger of destroying the very value of our currency.

So instead of having a President who runs around saying he is going to stick it to rich people, what we really need are honest people to go around the country and say to people: If you are working class or you are retired, the government is stealing from you. The government is stealing your savings through big government. On the one hand, they offer you something. They offer you baubles. They offer you something for free: Here is a cell phone. Just take the cell phone and vote for me. It will be OK.

The problem is, it is not free. On the one hand, you get the free cell phone. On the other hand, you get $4 gas. On the other hand, you get food costs rising.

Why do prices go up? Because we run a deficit giving you free stuff, and then we print money to pay for it, and that steals value from what you have. It is not that gas is more precious; gas is rising because the value of the dollar is shrinking. Food is rising because the value of the dollar is shrinking.

So big government isn't your friend, and deficits are not your friend. We hang in the balance up here and nobody is serious about it.

What is the one thing that has been taken off the table? Spending. We will not cut any spending. So we are looking for a deal that will raise taxes, which everybody seems to equate with drowning—except we are only going to make a few people drown, and they are rich anyway. But I think drowning is a policy. Drowning, even if it is selective drowning, being in favor of selective drowning is not a good policy.

What I have said and what I tell people is let your representatives know. Let your Senators know that you would rather have some kind of serious fix to the problem rather than kicking the can down the road; that you would rather have them actually do something that would allow the economy to grow, would allow jobs to be created, and, as a consequence, government would bring in more revenue.

The only thing proven to ever bring in more revenue is economic growth. What is going on right now? We are growing at a little under 2 percent. When the President, 2 years ago, extended all the tax rates and chose not to raise tax rates, we were growing faster. He said we don't want to rock the economy, and he agreed to extend all tax breaks. But now I think he is hell bent on raising taxes.

Realize that what you are going to get is raising taxes, more money taken out of the private sector and given to the government, the inefficient sector. Don't count on that new money coming in going to make the debt smaller; count on it funding more programs.

You will notice, if you look carefully at whatever this fiscal cliff deal is, there will not be spending cuts, but there will be spending proposals. So we are going to try to tax rich people more and get more money. It may not work because often you raise rates and get less revenue. We are going to try that, but we take the money that we get from rich people, and we are going to immediately spend it on more foolhardy programs, which is what we have been doing up here. We are not going to fix the problem, we are going to perpetuate the problem.

What I would argue for is we should be doing the opposite. We, the Republican Party, the party of limited government and low taxation, should have no part in this. We should have no fingerprints on this, and we should in no way support anything that raises taxes because it is bad economic policy.

So I, for one, will not support any proposal that comes out that does not cut spending and raises taxes.

Mr. President, I yield the remainder of my time, and I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. KERRY. Mr. President, I ask unanimous consent that the period for morning business for debate only be extended until 2 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. KERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON of Florida. 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. NELSON of Florida. Mr. President, the hour is nigh. Now Washington is awash in the rumor that there might be some progress being made. I hope so. If there was anything that was made clear to this Senator in the reelection in one of the biggest States in the Union, it was that the people want us to come together and to stop this bickering, the excessive ideological rigidity, and the excessive partisanship. That is a huge turnoff because ideological rigidity and excessive partisanship are impediments to getting people to come together with commonsense decisions for solutions.

Obviously, there is an easy way. Hopefully that is what is being tweaked at the moment in a final solution, with the President to speak in about 30 minutes. I hope so.

Mr. President, I am going to leave you with this thought. My colleagues know that a little over a quarter century ago, I had the privilege of seeing our home planet from the perspective of looking through the window of a spacecraft. It was the 24th flight of the space shuttle. It was early in the space shuttle program. It is indelibly etched in my mind's eye, as I looked back at Earth, what I saw. I did not see political divisions. I did not see religious divisions. I did not see ethnic divisions. What I saw is that we were all in this together, all a part of planet Earth. If we could remember that in our politics, we would all get along so much better. I hope that stays indelibly etched in my mind's eye and that we ultimately prevail in this momentous decision of avoiding the fiscal cliff.

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

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Texas.

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

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

Mrs. HUTCHISON. Madam President, there is a lot of buzzing going on around the Capitol today. Here we are on New Year's Eve, and so many of us had hoped we would have an agreement that would be really a big agreement, a long-term agreement that we would have liked to have had finished maybe by September, certainly by October, but that was not to be. In fact, as we saw in the elections of this year, our country is divided and our House here is divided as well. So it has been hard to come to terms.

It has been said that democracy is the worst form of government, except for all the rest, because when we have opinions, when we have free speech, when we have elections that put a Democratic majority in the Senate and a Republican majority in the House, we know there is not going to be a clear and precise path. But in the end, it is the best because we have all expressed our opinions and everyone has been heard.

We have had countless meetings in the last few weeks trying to see where people could give and where they couldn't. I have said from the beginning that I am optimistic because I think our democracy will work in the end. From what I am hearing from the different leaders, we are close to an agreement. We are not there, but it is a starting point and certainly a point at which there is already some agreement.

It may not seem as though it should be so hard, but once we do have the framework of an agreement, there are a lot of decisions that have to be made. We have to talk among Senate Democrats and Republicans, and then we have to go to the House and talk to Republicans and Democrats. I think one thing that is clear is there has to be a substantial number of votes on both sides of the aisle and both sides of the Rotunda. We will not pass something with all Democratic votes or all Republican votes because it will not pass in the other House. So I think there is a lot of refining of what is a pretty good agreement in the making, but the refining has not yet been finished. I have abiding hope that we will get there.

TIME TO REFLECT

Since this may possibly be my last day as a U.S. Senator—at least my last time to vote. Up until January 2, I am a U.S. Senator, but actually being able to participate at this late date has given me some time to reflect. I so appreciate some of the major communications and opportunities I have had with the real people in my home State of Texas and beyond. I always think of the many times I have been able to meet with our troops in harm's way.

In the early years of my tenure in the Senate, our troops were in harm's way in Bosnia, where there were many conflicts, and I got to visit with them and see what their concerns were and what was on their minds, and then into Iraq and then into Afghanistan. I have visited all of these places and had the chance to talk to our troops. What a person comes away with when they have that opportunity is the understanding that America is in good hands with our younger generation. They have such a great spirit.

I went to the Brooke Army Medical Center Hospital in San Antonio and visited with a young man who had lost both legs in an IED explosion. He had been able to get used to that situation for maybe 2 weeks. So it is reasonable to say he had had the shock of his life. So I went into his room, and there is his wife and his little daughter, who was about the same age as my daughter, sitting there with him.

He says to me: Senator, they won't let me go back, and that is where I want to be.

Then his darling wife pipes up and says: You know what, they took half of you and they are not getting the other half.

Now, if that isn't a story, for both of them to have such a spirit. I was so touched by that.

Just in the last month or so, I was back in San Antonio visiting the wonderful Center for the Intrepid they have for the wounded warriors and their families. It is a recreation center, and it is a place where they can go and cook food and have family meetings. They can play games, and they have extensive learning opportunities with computer rooms. It is a wonderful center they have put together, the people of San Antonio.

This was all spearheaded by a wounded warrior who had been cooped up in a room and wanted to have some ability to get outside the room with his family and have some experiences even though he was still going through treatment. He started raising money, and he raised it from the community and from many other wounded warriors, as well as military personnel, but a lot of the citizens of San Antonio and Texas stepped forward. So this is a wonderful place.

I met a wonderful young man who lost his arm and parts of two of his legs. He was a West Point graduate. He was sitting there, again with his beautiful wife, and I was visiting with him.

He said: I just want to be able to continue to contribute.

And I thought, oh my goodness, here is a West Point graduate who has so much to give and who wants to continue to give. So I came back and I wrote a letter to General Odierno, the Chief of Staff of the Army, and I told him about the young man who lost most of three limbs out of four and who wants to keep contributing. What about making him a military fellow, as we have in our offices, as the Presiding Officer knows? We have military fellows who are Active-Duty military, and they help us. We can have one a year. They help us by providing the military perspective on the things we are doing. Of course, because I have served on the Defense Subcommittee and the Military Construction Subcommittee of Appropriations and the Veterans' Affairs Committee, I love to have those military fellows.

I was so pleased that within just a month or so, when the choices were made for military fellows, this young man was chosen by the Army with the support of General Odierno, whose own son also has lost an arm in combat.

So I think that is a wonderful thing and that on reflection is one of the highlights of my moments to remember.

I also remember some of the great things my staff has done. I have to say, my staff has been the can-do staff of all time. They never take no for an answer. So when we have challenges, individuals who need help—it may be a veterans' benefit; it may be a Social Security problem—they have always had the reputation as the staff who tries to do everything possible to come through.

I am very pleased the Senator who is going to take my place on January 3 is going to have my staff director for case work, Joyce Sibley—who has had such a great reputation—continue in that position. She knows the issues. She knows the people. She will be great. I applaud Senator-elect TED CRUZ for making that decision and for keeping most of the staff who have done this wonderful work.

But let me give a couple examples. First of all, we got a frantic call from a friend of mine about a doctor who was trapped on top of Mount Everest. He was a Dallas doctor, and he was trapped up there in a blizzard and not expected to live. They had a terrible loss of some of the people in their climbing group, and a friend called and said: Is there anything you can do?

My wonderful staff, one of whom is retired military and knows so many of the things that could be done, Dave Davis, and Carolyn Kobey, who handles this casework in my Dallas office. Carolyn actually got in touch with the Nepalese Armed Forces and as a result of Carolyn's efforts, they were able to get a helicopter up. Once you get past a certain level—13,000 feet—you have to have oxygen in a helicopter or, obviously, if you are climbing.

So it was something that was a real ask of the Nepalese Air Force and we were able to get them to take that risk and to go up and they were able to rescue Dr. Beck Weathers. He is alive and wrote a great book about that experience from his vantage point. But we were very pleased to be able to take part in something such as that.

I will tell you, maybe the all time great experience was in my Houston office, led by Jason Fuller. We got a call in the Dallas office, and so the Houston and Dallas offices together did this. We got a call in the Dallas office from a woman in Mississippi. She said: I didn't know who else to call, but I knew Senator HUTCHISON's name. My son is having an asthma attack in Houston, and

I don't know how to get him the help he needs. He is in his apartment by himself.

My staff said: Please give us the information. We will call our Houston office, and we will see if we can get help, which they did. They called the Houston office. The Houston office called 9–1-1. They went out to the young man's apartment. He was, in fact, in a dire circumstance and would have died had he not gotten help right away. But they took him in. They gave him the help he needed, and that young man is alive today.

So these instances are some of the great memories I will have of having a wonderful staff who will go the extra mile and try to help the individuals in our State as well as on the big issues where we also try to make sure we do everything we can to get something that is very important to us, whether it is to America or to Texas or to Texans or to Americans.

These are some of the memories I will take with me as I leave this great body. As I said in my actual formal farewell speech, it is easy to be critical. I saw on television this morning that the esteem of Congress has fallen to 5 percent favorable. I am not surprised at that. As my colleague JOHN MCCAIN once said: Now we are down to blood relatives and paid staff. It is easy to criticize, and there are a lot of reasons to criticize. I will admit things have not been as productive and most certainly the acrimony does show sometimes.

But I am going to say, as I leave, after almost 20 years in this body, the people here are all dedicated. There is not one who is not a dedicated patriotic American. We disagree, sometimes violently disagree, on the way we should get to our goals. But our agreement is on the goal of keeping America the beacon of freedom to the world, to keeping our military strong, to doing right by all our people, whether it is a small businessperson who is creating jobs who is trying to go up the ladder of success or whether it is someone who is in trouble because they have had a huge setback in their lives. Everyone here wants America to continue to be the magnet for the world. We want to be the science and technology innovators who will continue to fuel our economy. It is just how we get there that causes the disagreement.

We have patriotic people who have been elected. I hope for the next 2 years we will put aside the partisan politics, put aside the thoughts of future elections, and try to solve the big issues of our time, because there is a lot of intelligence in this body. There is a lot of ability to come together. I keep the abiding faith that our messy democracy will, in fact, prevail because I cannot think of going to anything else. As long as we can function and show the world we can govern, as we disagree, that will be the example that will forever make our country the best and, hopefully, be a model for others to not think you have to take to the streets, not think you need guns to have the government you want but to show that peaceful transition can be done and also that we can have a lot of discussion, a lot of disagreements, but we can do it civilly.

I leave this body knowing if we just remember the honor we have of growing up in the greatest Nation on Earth, we will recognize that it is our responsibility to give the same to our children and grandchildren. It is the least we can do.

Thank you. I yield the floor.

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. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXTENSION OF MORNING BUSINESS

Mr. BROWN of Ohio. Madam President, I ask unanimous consent the period for morning business for debate only be extended until 3 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. BROWN of Ohio. 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. CORKER. 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. CORKER. Madam President, I just listened to the President, and my heart is still pounding. I was very disappointed to hear what the President just had to say in front of a pep rally—something very unbecoming of where we are at this moment.

It is my understanding that most of the tax issues have been worked out—should have been worked out on the floor in regular order. I think most of the Senate is very distressed that we are in a situation where the negotiations are taking place all of this time and it is not being done through regular order, but that is the way things are today in the Senate.

But I just heard the President say that in dealing with the sequester that was put in place to reduce spending—it was part of a $2.1 trillion package to reduce spending so that we could raise the debt ceiling back in August of 2011. No one ever thought we would end up in this place where the sequester would be enacted, but it was done so that we would reduce spending.

I notice my friend from Arizona is here. He has been one of the best there is to focus on defense spending and how it should be done, and I know he would like to see things happen in a very different way in that regard.

But I just heard the President say that the way we are going to deal with this sequester is in a balanced way, through revenues and through reduced spending. I just want to go on record here on the Senate floor—I know there are negotiations that are taking place, but the sequester was to be dealt with and substituted with other spending reductions, not through revenues. I hope all those who are involved in bringing this together understand that even on the Democratic side, that was the understanding. Not only was it to be dealt with through spending reductions if these were considered to be ham-handed—and they are, and we should deal with them in a different way—but they were to be dealt with in the same time period. In other words, we weren't going to reduce $100 billion of the sequester and pay for it over 10 years; it was to be done during the same amount of time.

So I know the President has fun heckling Congress. I think he lost probably numbers of votes with what he did. He didn't lose mine; I am not that way; I am going to look at the substance. But it is unfortunate that he doesn't spend as much time working on solving problems as he does on campaigns and pep rallies.

But I just want to say that I am very disappointed in what the President had to say, and I am one Senator. I just want to go on record that it is absolutely unacceptable to pay for the sequester with revenues.

Yesterday we had a meeting that broke down because all the money was being spent. The President campaigned for a year on raising taxes on the upper income. We have acquiesced to that. We know it is going to happen. But yesterday the deal was that all the money was going to be spent. There was going to be no deficit reduction. It is unbelievable—unbelievable that all of the money was going to be out the door as soon as it came in. As a matter of fact, before it came in, it was going to be spent.

I just want to say that I know the President enjoys heckling and having pep rallies to try to get Congress to act instead of sitting down and actually negotiating, but I hope that is what is going to happen, is we will end up following through on the reductions in spending that need to take place to replace the sequester.

I will also add just for what it is worth that the last time we extended unemployment insurance, we paid for it. The last time we did not cause the doc fix, the SGR, to go into place, we paid for it. And I hope that as this negotiation goes forward, we keep the same principles in place that we have had.

This country is over $16 trillion in debt. The sequester was put in place because we couldn't reach an agreement on reductions, but we knew they

had to take place. Mr. President, I hope we will continue to honor the fact that the sequester—the $1.2 trillion that we don't like the way it is being implemented—will only be adjusted through other reductions. If that is not the case, count me out. I think most people in this body consider me to be a semireasonable person, but if that is not what we do, count me out.

This country has a spending problem and a revenue problem, I agree with that. I am willing to support revenues to deal with this problem, the overall problem. But what I will not agree to is using revenues to replace spending reductions that were part of the Budget Control Act; that, candidly, we need further reductions in place to totally get this country where it needs to be.

With that, I know we have other Senators on the floor. I don't know what their response is to what just happened at the White House.

Mr. President, I yield the floor.

Mr. MCCAIN. Mr. President I ask unanimous consent that I be allowed to follow Senator MIKULSKI.

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

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak as to what is going on here today as the new chair of the Senate full Committee on Appropriations. That means we are the committee that actually puts money in the Federal checkbook. I would like to talk about that because, you see, today here we are on New Year's Eve doing what we should have done right after Labor Day.

We are behind the clock, and actually we are behind the thinking of the American people. They want us to come together and have sensible fiscal policies that promote growth and at the same time balance it with a new sense of frugality. The fact that we have come to this point with this culture of delay in this institution I think is really unacceptable. But I don't want to go into the culture of the institution, I want to go into actual discussions of something called sequester and spending.

The words of Washington are a foreign language. We use words that nobody understands, and we use numbers that nobody believes. I am telling you that with me, there is going to be a new day and a new way—plain talk, straight talk about what we are doing here.

So let's talk about the word ''sequester.'' Sequester literally means that you are going to—sequester stands for an arcane government word that means you are going to have automatic, across-the-board government spending cuts. These are supposed to be triggered if we don't resolve the issues today and will happen on January 2.

What is being proposed is that we would cut $110 billion in 2013—$55 billion in defense and $55 billion in nondefense. This means every single program—not programs that are dated, not programs that are bloated, not programs that might be for another era or only benefited a small group of people in a distant past, it means every single program. Yes, there will be certain exemptions to that in terms of Social Security benefits, veterans' benefits, and certain things related to the military.

Since we are already 3 months into the fiscal year, the impact of these cuts will even be worse. So when you hear that we are cutting deals on the sequester, we are actually talking about government spending.

Now let's talk about cuts. This is not the first time either party has talked about cuts, nor is it the first time either party has started to talk about a sense of frugality. One party, however, wants to also understand that we need to be able to meet the compelling needs that are in the mission of our government, and we have already given at the office.

So let's talk about, oh, this could be new spending, and I don't want this. The fact is that since 2010, not 2001—let's get our zeroes straight for a change—since 2010 we have already cut domestic spending by $43 billion. We have already cut $43 billion. That is nearly 10 percent of domestic spending in just 3 years. That $43 billion was in nondefense programs.

Then there is talk about, oh, why don't we have a budget? On August 2, 2011, we passed something called the Budget Control Act. That was deemed to be the budget of the United States of America. In that Budget Control Act, they instructed those of us on the Appropriations Committee to cut discretionary spending $1 trillion over the next 10 years. The Appropriations Committee will honor the instructions of the Budget Committee, as approved by the Congress of the United States. We are on the program. We are on the same page. We are on the same glidepath. We don't have to have showdowns here.

So we have already cut actual dollars—an actual checkbook—of $43 billion. That is a lot of money. Also, in the Budget Control Act, we are to cut $1 trillion over the next 10 years. That would meet what was being discussed in Simpson-Bowles and so on, so we need to understand that.

Now let's go to this across-the-board cut. I see on the Senate floor the distinguished Senator from Arizona, a well-known advocate for our national security, well versed over the years in the compelling needs our military must have to protect the Nation. I am sure he will speak to those needs, and I will also.

But I also want to speak about another dynamic, which is the impact of $55 billion across the board in discretionary spending. What I want to say is that if, in fact, we go ahead with this, we are going to cut defense, there is no doubt about it, $55 billion, and it is going to be a meat ax. That is not the way to go, that is not the way to treat our military, and that is not the way to focus on our national security.

Secretary Panetta, along with the generals, General Dempsey, the head of the Joint Chiefs, has gone through his own budget. He has recommendations where, out of the $66 billion of defense, how we could begin to have a prudent way where we could begin to have modest reductions in the DOD account without jeopardizing national security.

I serve on the Intelligence Committee. I served with the Senator from Arizona and other distinguished people. We are going to make sure we can do this in our own way, but sequestration could really affect a variety of things related to operations and maintenance.

Let me tell you what else there is. There are many other people who defend the United States of America, and I am proud of them all. These are things such as our Federal law enforcement. With our Federal law enforcement, if we go into this meat ax approach, over 7,500 positions—because it will come out of personnel—will be affected. This could affect as many as 3,000 Federal agents—3,000 Federal agents of the FBI, DEA, and ATF. They might not be laid off, but they are going to be furloughed. They are going to have short-term furloughs. This is going to have a direct impact on morale, a direct impact on mission, and it will have a direct impact on protecting the American people, whether it is from cyber threats, border control threats—all these things they do. The Federal Bureau of Investigation and the Drug Enforcement Agency are absolutely important.

Then the other area is in homeland security. We could reduce the mission hours at the Coast Guard by as much as 50 percent. Now, the Coast Guard is absolutely crucial when it comes to drug interdiction and also protecting our borders from our waterways.

You know, a lot of people love the Weather Channel. I love the Weather Channel too. If you watch what they do in Alaska, down in Florida, wherever they are, they are doing search and rescue and making sure drug dealers aren't using our waterways and byways to bring drugs into the country and just standing sentry and protecting the United States of America.

Again, we could talk about the border control, but then there is this whole issue of the center for health and human services. Whatever you feel about ObamaCare, that doesn't affect what goes on at the Centers for Disease Control. Right now, the Centers for Disease Control and the FDA are trying to make sure we have food safety and drug safety and are watching out to make sure there are no big outbreaks that spread.

All of us were horrified at the meningitis outbreak. We had a situation with a medical technician who went State to State—he was kind of a technician by hire—who spread terrible meningitis by injecting dirty needles into people who needed steroid injections because of their back.

So we need the FDA. We need the Centers for Disease Control. They are out there working to protect our American people. Remember, they are the ones who discovered Legionnaires' disease.

Mr. President, how much time have I consumed?

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MIKULSKI. I have a commitment to the gentleman from Arizona, and I will honor that commitment both in speaking here and in dealing with these issues.

Mr. President, the point I am making is this across-the-board meat axe approach has very serious consequences. Let's use prudence and delay them, I would hope, for at least 1 year or 2 years and not a matter of weeks. But I am saying, and I promise, we do have methods for getting our spending under serious discipline.

I yield the floor, and I look forward to working with my colleagues.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I thank the Senator from Maryland as always for her usual courtesy, and I think she had a very important message. I appreciate not only the words themselves but her eloquence and passion.

Mr. President, I ask unanimous consent that the Senator from South Carolina be included in a colloquy during my remarks.

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

PRESIDENTIAL LEADERSHIP

Mr. McCAIN. Mr. President, I, as I believe all of us have, just finished watching the President's remarks at—I guess it was the Executive Office Building. I am not sure yet, as I sort out my impressions of the President's remarks, whether to be angry or to be saddened.

I have been around this town for a number of years, and as is well known, I had more than an academic interest in the Presidency. I have watched a lot of Presidents, going back to President Reagan, from the standpoint of being a Member of Congress, and I have seen these other crises as we have gone through them—whether it was the potential shutdown of the government when Newt Gingrich was Speaker of the House, or the crisis of the debt limit expiring, and a number of others. It is sometimes, unfortunately, the way we do business here.

But I must say, at a time of crisis, on New Year's Eve, when at midnight, at least, certain actions will take place or have to be planned to take place, today we had the President of the United States having a cheerleading, ridiculing-of-Republicans exercise in speaking to the people of the United States of America. As I have watched other Presidents address crises, the way they were able to address them and resolve them—with Presidential leadership, and that is why we elect Presidents, to lead—was by calling the leaders of both parties to the White House to sit around the table and do the negotiations and the discussions.

Sometimes concessions have to be made; compromises have to be made. But what did the President of the United States just do? He kind of made funny—he made a couple of jokes, laughed about how people are going to be here for New Year's Eve, and then sent a message of confrontation to the Republicans. I believe he said: If they think they are going to do that, then they have another thought coming.

I guess I have to wonder—and I think the American people have to wonder—whether the President wants this issue resolved or is it to his short-term political benefit for us to go over the cliff. I can assure the President of the United States that historians judge Presidents by their achievements.

Now, we all read the polls. We, Republicans, know what is in the polls; that is, the majority of the American people—50-some percent—support and approve of this President. We also see the approval ratings of Congress—10, 11, 12, 9, 15 percent, whatever it is. I haven't seen one that high lately. But historians judge Presidents by what happens on their watch, and this President just made comments which clearly—clearly—will antagonize Members of the House. We are a bicameral government. His comments will clearly antagonize them, and once we get an agreement—and I appreciate that negotiations have been going on in the Senate between the majority leader and the Republican leader—whatever is done and whatever is agreed to has to be ratified by the House of Representatives, men and women who were elected on promising their constituents they wouldn't raise taxes.

Now, whether they should have made that commitment or not, whether that was the right thing to do, the fact is that is what they said. So the President basically, in his talk to whatever group of people he was talking to—who were laughing and cheering and applauding as we are on the brink of this collapse, of the incredible problem this creates for men and women all over, all of our citizens—said to the Republicans on both sides of the aisle, but particularly the House of Representatives: Take it or leave it. That is not the way Presidents should lead. These are draconian effects.

Now, whether we should be at this cliff is a discussion for scholars in years to come, but we are where we are. Frantic discussions are going on. They went on into the middle of the night last night. So what is the President of the United States doing? In the middle of this, as, hopefully, they were reaching an agreement—and I understand there was only one major issue remaining—he comes out and calls people together and has a group standing behind him while he laughs and jokes and ridicules Republicans. Why? Why would the President of the United States want to do that?

I want to say a word about sequestration. Now, sequestration is about to kick in. The Pentagon and our Defense Department are like a giant oil tanker. We have to turn it around in a very difficult and slow manner because they have to make plans, and they have to have contingencies. They have to have procurement of weapons, and we have to do all the things that are necessary to make sure our men and women who are serving in the military are the best trained, the best equipped, and most professional in the world—and they are. But when we look at sequestration, the Secretary of Defense says it will decimate our ability to defend this Nation.

Shouldn't the President be concerned about that, about what his own Secretary of Defense is saying and what his own selection of Chairman of the Joint Chiefs of Staff is saying? Instead, he kind of jokes around and tells people they are going to be here for New Year's Eve. That is not the way to lead this Nation.

So I come to the floor and say to my colleagues, we need to get this done. We all know we need to get this done. If we go over the cliff, we are going to disappoint the people we are elected to represent, and we will disappoint them mightily, as we already have. But I also say it is the time for Presidential leadership. It is time to stop the cheerleading; it is time to stop the campaigning. The President won. We all know that. He won fair and square. Isn't it now time to govern? Isn't the best way to govern to sit down with people from the other party and from both Houses and say this is an issue we must resolve for the good of the American people?

So I hope, again, the President will spend some time with the leaders of both parties in the Oval Office sitting down and ironing this out before the people of this country pay a very heavy price.

Now, my friend from South Carolina was around when we almost went over the cliff the last time, as we were about to shut down the government, and there were all kinds of consequences. But we pulled back from the brink, after almost going over it, and it was the most serious of all these that I have seen. I guess I would ask him, is it not true, in our experience, that Presidents, whether they be Republican or Democrat, no matter what party or affiliation, going back to the famous Ronald Reagan and Tip O'Neill relationship, where they sat down together and they saved Social Security for about 25 years—and it was tough medicine, but they did it together. The President of the United States basically dismissed Social Security and Medicare from his list of priorities.

As my friend from Tennessee pointed out, we have a $16 trillion debt. For us to say we are not going to do anything about spending when we all know that spending is the biggest problem we have in this agreement—again, that is

throwing kerosene on the fire that is on the other side of the Capitol, and that is my Republican colleagues on the other side of the aisle who have committed and pledged to their constituents that we will end this hemorrhaging that we call spending which has given us the greatest debt in the history of this country.

So I guess I would ask my colleague from South Carolina, who is usually very modest and reticent in explaining his views, particularly in various media outlets, what is his view on this situation.

Mr. GRAHAM. Well, I thank Senator MCCAIN. My first view is it is better not to go over the cliff than to go over the cliff. But it is also important, as my colleague just said, to understand what we have accomplished.

Let's assume for a moment—let's hope this is a good assumption—that we are reaching an agreement by the end of the day that raises tax rates on people who make over $400,000. I don't think that is a good idea because I think it hurts job creation. The better way to get revenue is to eliminate deductions and exemptions for businesses and wealthy individuals and take that money back into the treasury, lower tax rates to create jobs and pay down some debt. That is what Bowles-Simpson did.

Not one bipartisan group, I say to the Senator, that has tried to solve our debt problem and our spending problem and our revenue problem has suggested raising tax rates. Bowles-Simpson, a bipartisan group, actually lowered tax rates, and they did that by eliminating deductions and exemptions, and they put a lot of money on the debt. They had a 25-percent corporate rate, and the top personal rate was 30 percent. They took this $1.2 trillion we give out every year in exemptions and deductions to the favored few and brought it back into the treasury. They paid down the debt and they lowered tax rates to help create jobs.

This President's approach is the opposite of Simpson-Bowles and the Gang of 6. We had six Senators, three Democrats and three Republicans. How did they try to solve our long-term problems? They reformed the Tax Code by eliminating virtually all deductions. They took that money back into the treasury, they paid down debt, and they lowered tax rates, just as Simpson-Bowles.

Now, this President has taken another path. He wants to raise tax rates to generate revenue. My concern is the higher the tax burdens in America, the less likely to create a job in America. There are better ways to generate revenues. But he has gotten his way and he is going to win.

Hats off to the President for having the courage of your convictions. You said during the campaign you were going to raise tax rates on everybody making above $250,000. Well, you probably are not going to get that, but you are going to be somewhere around $400,000.

The money to be generated, you say you want it to go on the deficit. Well, that is good. Yesterday, the proposal by our Democratic colleagues was to take that increased revenue from raising tax rates and spend $600 billion on the government. That is why they don't have a deal.

I am willing to swallow my pride and vote for a tax rate increase—even though I don't think it is good policy—just to save the country from going into the abyss and destroying the military. I am willing to do that, and I will take some heat. But that is the way democracies are. You win some, you lose some.

What I am not going to do is raise tax rates on anybody and take that additional money to grow the government when we all know we need to get out of debt. That is what was going to happen yesterday.

By 2037, the amount of debt we have in the Nation will be twice the size of our economy. Every child born in America owes $51,000 of debt on the day of their birth. When we look at Medicare, Social Security, and Medicaid, the three big spending programs, called entitlements, in about 25 years the cost of those programs is going to consume all the revenue coming into the government, and there will be no money for the Defense Department.

So when the President said today that round 2 will be the debt ceiling, he is right. He won round 1. But we have done nothing, as Senator MCCAIN indicated, to lower the deficit in any real way.

If we took every penny of the money we are generating from raising tax rates for people above $400,000, that is 6 percent of the national deficit. That doesn't even begin to solve the problem.

So this is a hollow victory—a victory of revenue with no change in the Nation's march toward becoming like Greece, no real reduction in our deficit or our debt. The good news is that we are one big deal away from dominating the 21st century because America's problems are less than most other places. The bad news is that deal is elusive. It requires Presidential leadership, and I haven't seen much of it. If we stay on the course we are on today, we are going to lose the American dream because our grandchildren and your children cannot pay off the debt we are about to pass on to them.

So in about 2 months round 2 begins, and we will be asked to raise the debt ceiling. Trust me, I don't want to default on our obligations. But in August of 2011, we borrowed $2.1 trillion because we ran out of money, and 42 cents of every dollar we spend is borrowed money. If we don't keep borrowing, we have to cut the government by 42 percent. Nobody suggests that is a good idea overnight.

But here is what I will not do. I will not continue borrowing money unless we address in the process what got us into debt to begin with. So when we have to raise the debt ceiling again, I want to make a simple request: Let's come up with a plan bipartisan in nature to save Social Security and Medicare from bankruptcy because they are going to run out of money and become insolvent in the next 20 years. Let's also create a spending reduction plan that will allow us not to become like Greece.

If you want to raise more revenue by capping deductions, count me in because we will need more revenue. But in 17 months, ladies and gentlemen, we spent $2.1 trillion. We are burning through money like crazy. It took us 200 years to borrow the first $2 trillion. We spent $2.1 trillion of borrowed money in 17 months. That has to stop.

So to President Obama: Congratulations on your tax rate increase. You fought hard and you won. I hope I have the courage of my convictions not to raise the debt ceiling until you and others will work with me to find a plan to begin to get us out of debt. You mentioned Medicare today in your speech, and I am glad you did.

In 2024, it completely becomes insolvent. Think of how many people in this country need Medicare and will need it 20 years from now. If we don't do something, it is going to run out of money. The age of eligibility for Medicare recipients is 65. It hasn't changed one day since 1965 when it first started. We are all living longer. I propose we adjust the retirement age to 67 over a 10-year or 20-year period. That will save the program in many ways.

People at my income level shouldn't get any money from the government to help buy prescription drugs. I should pay the full cost because I can afford to. That is called means testing. This CPI thing you hear a lot about, that is how you evaluate benefits. That needs to be reevaluated based on real inflation. We are overestimating the cost and adding burdens to these programs.

That is kind of technical stuff, but here is what I am telling you. I am not going to vote to raise the debt ceiling until we do something to save Social Security and Medicare from bankruptcy, and I am not going to borrow a bunch more money that our grandkids are going to have to pay off without a plan to get out of debt. If that is too much to ask, so be it. But it is not too much to ask of you at home because if you spend a lot more money than you make, you go to jail. We call it good governance. That has to stop.

So round 2 is coming, and we are going to have one hell of a contest about the direction and the vision of this country.

The President we need 2 months from now is going to be the one who will come down here and talk with us and work with us and not have a press conference. Because, Mr. President, I want to make you a historic President. I want, on your 4-year watch, for us to change the course of the country. I want to save Medicare and Social Security from insolvency, and I will give

you full credit as the Presidential leader if you will help us as a nation find a way to save these programs from bankruptcy. I want to turn around the spending problem we have and prevent us from becoming Greece. And if you will lead I will follow. Yes, I will raise more revenue in a responsible way. But without you, it is going to be hard for us to get there.

So the next time we meet, it is going to be a round of debt ceiling, and the image I want is not a bunch of people behind the President who are clapping for him, but Members of Congress—Republicans and Democrats—behind the President, clapping for the President because he signed a bill that will save all of us from a certain fate. And our fate is being sealed as I talk unless we make changes.

We cannot survive on the course we are taking today. The good news is, with some bipartisanship and Presidential leadership, we still have time to turn around this country and actually dominate the 21st century. It is going to take some pain and it is going to take some sacrifice.

One final story. When I was 21 my mom died. When I was 22 my dad died, 15 months later. My family owned a liquor store, a restaurant, and a pool room. Everything I know about politics I learned in the pool room. My sister was 13. My uncle took over the businesses. He left the textile industry to run the businesses. We moved in with my aunt and uncle. They never made over $25,000 or $30,000 their entire life. And if it weren't for Social Security survivor's benefits for my sister, we would have had a hard time making it. She went to college on a Pell grant.

I am 57. I am not married. I don't have any kids. I am part of the problem. That is what is happening all over America. But when I was 22, we needed every penny we could get in Social Security benefits. Today, I could easily give up $500 when I retire and not feel it at all, and I could pay more for Medicare—and I would, and I am going to ask people in my situation to do that. We just have to have the courage to ask. I think most Americans would say yes.

So Medicare and Social Security are not programs to me. I know what they do for real people, and if we do nothing, in 2032—which seems forever but it is not—Social Security becomes insolvent, and we have to cut benefits 25 percent for everybody, whether they can afford it or not or raise taxes by 38 percent, whether businesses can afford it or not. And the way you solve that is to reform the programs like Ronald Reagan and Tip O'Neill.

Mr. President, I am willing to play, along with my other Republican colleagues, the role of Tip O'Neill. You just need to play the role of Ronald Reagan.

So the next time we talk about fiscal problems in America, I want a news conference where the President is center stage, not surrounded by political activists but surrounded by Republicans and Democrats who can celebrate accomplishing something that we should all be proud of.

They tell me this is the least productive Congress in the history of the Nation. If it is not, I would hate to be in the one that was. We haven't done a whole lot up here.

I know Senator MCCAIN has been here a few years now. I ask the Senator, what is his opinion of where we are going as a nation and how we get along with each other?

Mr. MCCAIN. I would say to my friend, first of all, we have had some meetings of a bipartisan fashion to try and improve the process so that we can move legislation forward.

I believe the issue before us right now—at nearly 3 p.m., 9 hours from midnight and we still have not reached an agreement—and the longer it takes for us to reach agreement, the less time we will have examining it and the less time we will have before voting on it. As the Senator from South Carolina said: We can't keep doing business like this. And we can't.

But on this particular issue, I want to express, as I began, my disappointment in the President in having a cheerleading rally when we should be sitting down together and resolving this issue. That is what I have seen other Presidents, Republican and Democrat, do.

I hope, now that the President has made his statement with his cheering section, that now he would sit down—as Presidents have and should—and work to hammer out this agreement and agreements in the future.

The Presidential campaign is over. He won. Congratulations. Now let's get down to the serious business of governing this country in a bipartisan fashion.

Mr. ISAKSON. Mr. President, would the Senator from Arizona yield?

Mr. MCCAIN. I yield to the Senator from Georgia.

Mr. ISAKSON. I rise for a moment to associate myself with the Senator from Tennessee, the Senator from Arizona, and the Senator from South Carolina. I want to tell a personal story somewhat like the Senator from South Carolina.

I made my living my entire life before I got here for 33 years selling houses, causing two people to come together and agree on price, agree on terms, sign and shake on a deal, and walk away from a closing table feeling like both of them won.

I have also been elected to every legislative body I could be elected to in my State, and I have served in legislatures for 34 years. I have negotiated deals and been on conference committees, and I never once found myself making a deal by intimidating or insulting the other side.

What the President did this afternoon set us back in civility and in leadership and in dealmaking, and I am a big enough guy to know I am not going to take it personally. If the desire was to offend me, the speech did. But if the desire was to deter me, it did not.

It is time we all found ways to come together as Americans and solve our problems, not just in the short run but in the long run; not fill our room with partisan supporters, but, instead, cause everybody to sit together around the table and find a way to make a deal.

This is the greatest country on the face of this Earth, and it will continue to be unless we forget what got us here. What got us here are the American people, not the American politicians. The American businessman, the American entrepreneur, the American worker, the American laborer, and the American leaders—people who, through their sweat, their blood, and their toil built businesses, built factories, built companies, and made this great enterprise known as the United States of America work.

If we want to raise our revenue—sure, you can raise by percentage your revenue by raising your assessment, but if you lower your base your revenue goes down. What we need to do is empower our base by raising the prosperity of the American businessman, the American employee, and the American worker. As their prosperity rises, taxes will go up not because we are charging them more by rate, but because they are making more. The rate and what they pay goes up because they are more prosperous.

You will never raise the revenue you need by insulting the American people or taking away the incentives to work, make a living, maybe take a risk and be an entrepreneur. So while we had a speech today—the intention of which I don't know, but it probably protracted and delayed what we are trying to do here today, and that is find a way to come back and fight another day.

I agree with Senator GRAHAM. The big battle is yet to come, and it is over the debt ceiling. It is going to be a big battle, and I share every comment and every sentiment that Senator GRAHAM said because that is the one where we have to find a way to make a deal. The President is not going to make a deal by poking us in the eye and by charging one side against the other to try and have a win-win proposition. I never made a deal if it wasn't a win-win proposition. I always lost a deal when I made it a win-lose proposition.

I am at the table. I will continue to negotiate. I want to make this country work, but let's work together. Let's find common ground. In the eleventh hour and in the twelfth hour, let's do what is right for the American people.

I want to thank Senator GRAHAM, Senator CORKER, and Senator MCCAIN for their remarks. I associate myself with them, and I yield the floor.

Mr. MCCAIN. Mr. President, I yield the floor for the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Senators from Arizona, South

Carolina, and Georgia for the comments they have made. I already addressed the issue of the speech. I agree with the comments made by my colleagues here.

I want to address the substance of this. We get caught up in terminology around here and sometimes talk beyond each other. I don't know what most people are doing today, but the country almost came to a halt in August of 2011 as we negotiated some reductions in spending—$2.1 trillion worth. Most people believed that was not enough. I know everybody in this body has been contacted by the Fix the Deck folks and others who think we need to have a $4.5 trillion to $5 trillion deal, and I agree with that 100 percent. I thought that was what we were going to be doing.

As the Senator from South Carolina said, had we done that, we could focus on the tremendous potential this country has. We are not going to do that.

Let me go back to August 2011 when we agreed to reduce spending by $2.1 trillion. We implemented some things and we put some things off to what we call the sequester, which is what I am talking about now. The sequester was supposed to kick in on January 1 if we didn't reach an agreement on other spending reductions. I had hoped we would come up with other spending reductions. I know my friend, the Presiding Officer, felt the same way. But we have not done that.

Here is the substance of what the President just said in his speech; that is, since we did not come up with an agreement on spending reductions, we are going to deal with the sequester that kicks in tomorrow—the $1.2 trillion.

EXTENSION OF MORNING BUSINESS

Mr. BENNET. Mr. President, I ask unanimous consent that the period for morning business for debate be extended until 5 p.m., with Senators permitted to speak up to 10 minutes each.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BENNET. I thank the Senator.

Mr. CORKER. Mr. President, I see the Senator from Kentucky. I think most people would rather listen to him than to me.

I yield the floor for the moment as he makes his comments.

Mr. MCCONNELL. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. The Senate is not in a quorum call. The Senator from Tennessee has yielded the floor.

THE FISCAL CLIFF

Mr. MCCONNELL. Mr. President, yesterday—after days of inaction—I came to the floor and noted the obvious: we need to act but I need a dance partner. So I reached out to the Vice President in an effort to get things done. I am happy to report that the effort has been a successful one, and as the President just said in his television appearance, we are very close to an agreement.

We need to protect American families and job creators from this looming tax hike. Everyone agrees that action is necessary, and I can report that we have reached an agreement on all of the tax issues. We are very close.

As the President just said, the most important piece—the piece that has to be done now—is preventing the tax hikes. The President said, ''For now our most immediate priority is to stop taxes going up for middle-class families starting tomorrow.'' I agree. He suggested that action on the sequester is something we can continue to work on in the coming months.

So I agree, let's pass the tax relief portion now. Let's take what has been agreed to and get moving. This was not easy to get to. The Vice President and I spoke at 12:45 this morning, 6:30 this morning, and multiple times again during this morning. This has clearly been a good-faith negotiation. We all want to protect taxpayers, and we could get it done right now.

So let me be clear: We will continue to work on finding smarter ways to cut spending, but let's not let that hold up protecting Americans from the tax hike that will take place in about 10 hours from now. We can do this; we must do this.

I want my colleagues to know that we will keep everybody updated as we continue to try to wrap this up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, it is appropriate that the Senator just said what I have said, and I thank him for his comments. This, again, leads me to what I see is the rub. In his comments a minute ago, the President alluded that the tax arrangements have all been agreed to and the things Americans most care about have been agreed to.

In a late request this morning, the President wanted to do away with the sequester—the $1.2 trillion in cuts—by paying for them with revenues instead of trading out other cuts, which is unbelievable to me with the amount of debt we have in this Nation. The fact is we have agreed to additional revenue. Now, at the last minute, what has happened is the sequester is getting ready to kick in because we could not agree to other revenue cuts. By the way, it was not part of this deal but to supplant what we did back in August 2011.

We all know the sequester is going to kick in. For some reason people think it is being done the wrong way and should be done in a different way, which I actually agree and hope we will do. Instead of reducing that spending, the President wants to add revenues to that to keep that from happening.

Now, let me explain what that means. We have this tax increase that is getting ready to happen—by the way, I would support that—and instead of reducing the deficit like the President campaigned on, what he wants to do is use those revenues to supplant spending reductions we have already agreed to, so we are not reducing the deficit. We are using this revenue, which has been campaigned on for a year, not to reduce deficits but to keep spending cuts that have already been agreed to from happening. I don't think there are many people on either side of the aisle who would think that is a very good idea.

Now, what the President is doing is holding this agreement on taxes for all Americans hostage to keep from doing the spending reductions we have already agreed to. I don't know if most Americans who listen to us quite understand what is happening.

I listened to the President yesterday speaking with David Gregory, ''Meet the Press,'' and I know he talked about the $1 trillion in spending reductions he has offered up, which by the way I applaud. The problem is I have never seen them. I don't think the Presiding Officer has ever seen them. As a matter of fact, there is not a soul in this body who has ever seen the spending reductions that the President has offered up because they don't exist.

I know there were broad contours that were talked about; I know that. The people in this body know that last week LAMAR ALEXANDER and I offered a bill on the floor to raise the debt ceiling by having $1 trillion in entitlement reforms so we don't end up in a situation where the credit of our country is in jeopardy. Today people are paying one-third of the cost of Medicare. There will be 20 million more Americans on Medicare over the next 10 years, and we are paying for one-third of that. It is a time bomb.

We have offered reforms to cause Medicare to be here for future generations. We have done that in advance so the debt ceiling is raised in a way that does not jeopardize the country's credit. At the same time, we reformed these programs so they will be here for the future.

Yesterday the President said on television that he has offered $1 trillion in cuts. I have never seen them. What I would say to the Presiding Officer is, if they exist it would be helpful if we could see those because that would help us with this debt ceiling debate. It may be that some of those are similar to the reforms and reductions that Senator ALEXANDER from Tennessee offered with me. That would be highly helpful. Once the pep rallies are over maybe the President could send a list of those reductions and reforms that he says he has offered that no one I know of has ever seen. I think it would be helpful to us in the debt ceiling debate.

As a matter of fact, my guess is we might agree with a lot of those. What we could do is maybe take the President's reductions that he says he has offered, which he has never offered, and

we could use those to help raise the debt ceiling and alleviate some of the issues that my friend from South Carolina was mentioning a minute ago.

Mr. Presiding Officer, my friend, I will tell you that I am disappointed where we are today. I thought 2 years after we began this process we would end up with something that would cause us to have this viewed from the rearview mirror. In other words, this would be behind us, and we would begin 2013 in a situation where the economy was ready to take off and people in this country would know that we dealt with our issues, and, candidly, people around the world would know it as well. We have not done that. We are talking about the kick-the-can-down-the-road deal. Everybody knows that.

Everybody in this body knows that by the time this agreement takes place we have done nothing to reduce a penny of debt in this country. People know that, and that is a shame.

The American people are watching us. We have turned ourselves into the laughing stock of the world because we cannot sit down and just solve these problems. Candidly, I don't know why we cannot do this on the Senate floor. It has been empty over the last week. I think we could have brought a bill to the floor to deal candidly with this. I think most people on both sides of the aisle think the same way. We have not done it. Surely, we should not let this happen again.

I want to close by saying that I am disappointed with what I think is about to happen on the sequester. It looks like we are going to use revenues to substitute for spending reductions that have already been agreed to. What that means to the American people is that the tax on the wealthy, which I support in the form that I have understood it to be, is not going to be used to reduce our deficit but to keep from putting in place the spending reductions we have already agreed to.

I don't know many Democrats or Republicans who would think that is a particularly good idea, especially with everything we went through and everything we put the world through in August 2011. Much of that will be dissipated and watered down today. Not only are we not making progress if that happens, we are actually going to be setting ourselves and our country back. I think this will make it even more difficult to overcome the debt ceiling that is coming up in 75 days.

I am obviously making this speech to, hopefully, help influence the outcome over the next couple of hours. I hope that what the President said over in the Executive Office Building is not what he means. I doubt there are many people in this body who agree with the comments made by the President, and I hope the negotiators will take that into account.

I yield the floor and note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. 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. LIEBERMAN. Mr. President, I have come to the floor to express my own sense of encouragement about the statements made this afternoon by President Obama and Senator MCCONNELL which indicate that the negotiations to avoid the so-called fiscal cliff are making progress. We are not there yet, but they are making progress. I am very encouraged by that.

I have heard over the last couple days a familiar phrase invoked many times, and it is that no deal is better than a bad deal. I suppose it is often true that no deal is better than a bad deal. But in the case of the fiscal cliff, no deal is the worst deal because the government will go over the fiscal cliff and will take almost every American with us.

Almost every family who pays taxes now will pay higher taxes. People's jobs will immediately be put in jeopardy, unemployment compensation will end for more than 2 million people. Our defenses will be decimated by cuts that will put us in a position of accepting unacceptable risks to our security. Title I programs of education for low-income children will be cut dramatically.

Most people, including our own Congressional Budget Office, say the combination of tax increases along with the decreased spending required under the Budget Control Act will push our economy back into recession in the new year.

So I do not agree that no deal is better than a bad deal. In this case, I repeat, no deal is the worst deal because it allows our country to go over the fiscal cliff and hurts almost every American family and our country and our economy as a whole. This should not be a surprise to us. It is not as if—if I can use the metaphor that Congress was going along in a bus on a ride through the country and suddenly came to the end of the road and there was a cliff. This should not be a surprise to us. We created this cliff ourselves a year and a half ago when we adopted the Budget Control Act. We created it for a very good reason: Because we knew we had proven ourselves incapable of making the compromises that were necessary to achieve the long-term bipartisan debt reduction program America desperately needs.

We are over $16.4 trillion in debt. I am in my last days as a Senator. If you told me when I started that we would be $16 trillion in debt, I would not have believed it. Frankly, if you had told me just a dozen years ago, at the end of the Clinton administration when we were in surplus, that we could possibly be $16 trillion in debt, I would have thought you were not reality tested. But here we are.

Most everybody knows the way we are going to get out of this is with a combination of tough medicine—I would call it tough love. We are going to have to reduce spending. We cannot do it all from discretionary spending. The Budget Control Act we adopted last summer; that is, the summer of 2011, does it all from discretionary spending. What is discretionary spending? It is different from entitlement spending: Medicare, Medicaid, et cetera. It is what most people think of as the government. It is education programs. It is environmental protection. It is social service programs. It is defense. It is homeland security. It is law enforcement. That is about one-third of our budget. It is not the part of spending that is driving the debt and deficit. That is being driven by the growth in entitlements, which are rising for a good reason, which is that the American people are living longer; therefore, taking much more money out of programs such as Medicare than they put in and, I suppose, for reasons that are not so good, which is the cost of health care continues to go up.

We proved ourselves incapable of dealing with this crisis as part of the normal process of compromise. So we created the cliff, which was intentionally made so harmful that our assumption was that we would not allow ourselves to go over the cliff because it would be so hurtful. Again, that is why no deal in this case is not better than a bad deal. No deal is the worst deal because it means we go over the cliff.

Why is all this happening? For a lot of reasons. But one is that there are groups within both great political parties who are defending the status quo, who do not want the situation as it exists now, which has created the $16½ trillion of debt, to change. But we cannot go on this way. Because if we do, we already are putting an enormous burden on generations of Americans to follow in paying off the debt we have incurred. But we are also coming to a point, if we do not do something soon, where the choices we are going to have to begin to pay off the debt are going to be hurtful to our great country, which is enormous tax increases, enormous spending cuts such as the one in the fiscal cliff proposal or, at worst, the monetizing of the debt, a drop in the value of the dollar, and all the harmful effects that will have on our economy and our country.

Here we are, December 31, not only the eve of a new year—which we hope and pray will be a great one for our country and everyone who lives in it—but a few hours away from letting our country go over the cliff. We can't let it happen, and that is why I am so encouraged that these bipartisan negotiations are looking like they will produce a bipartisan agreement, which hopefully will come before the Senate sometime this evening.

This is not, this will not be the comprehensive, bipartisan, long-term debt

agreement we created the cliff to encourage. This will not be the bipartisan, long-term debt reduction agreement this country needs.

So much is beginning to turn right in our economy. Housing prices are doing better, unemployment is down. We see manufacturing picking up again. The big problem the American economy has is right here in Washington, our inability to get together across party lines to bring our country back into fiscal balance and to show the country and the world we have a political system that is capable of fixing our problems.

Earlier this year, Bob Carr, the Foreign Minister of Australia, one of our greatest allies in the world, said: ''The United States is one budget deal away from restoring its global preeminence.''

''The United States is one budget deal away from restoring its global preeminence.'' Perhaps because I am so proud of this country, I would say we are one budget deal away from restoring our global dominance for a considerable number of years.

Unfortunately, after—I hope and I pray we adopt the result of negotiations going on now and avoid the fiscal cliff—we will still be one grand bargain budget deal away from restoring our global preeminence. That work has to be done, but at least we will have avoided the cliff.

By a twist of fate, the occupant of the chair is my colleague and friend, the Senator from Connecticut. You have probably seen these numbers, but just to bring it home for one State, what will be the impact if we allow the country to go over the fiscal cliff in Connecticut: 1.4 million middle-class families will see their Federal income taxes increase, almost 1.5 million families.

If the middle-class tax cuts are allowed to expire on January 1, a median-income Connecticut family—now I know the median in Connecticut is higher than it is in most other States, but this number is true for any family making this amount of money. It makes an important point.

A family of four earning $86,000 a year happens to be the median family income in Connecticut. But that family, which I think would be considered median just about everywhere, middle income just about everywhere, would see its Federal income taxes rise by $2,200. That is a lot of money for a family of four paying a mortgage, paying for food, probably paying something for education for their children, maybe college—too much.

Another Connecticut number is 680,000 additional Connecticut taxpayers will be hit by the alternative minimum tax. It is amazing when we think about that. Those are going to be middle-class families who will be hit by that. Also, 120,000 Connecticut taxpayers will no longer get a tuition tax credit to help pay for college because that too will expire if we don't do something about it. There are 340,000 Connecticut families raising children who will see an average tax increase of $1,000 as they lose access to the child tax credit.

The earned-income tax credit, which was something adopted during the 1990s—which I was proud to be part of—is also set to expire on January 1. That is for—when I say lower working families, some might call them lower middle income, gives them a break that they need.

In the most recent year for which we have numbers, almost 43,000 Connecticut working families received important benefits from the earned-income tax credit, and they would lose it.

The national numbers are 2.1 million people long-term unemployed who will see their unemployment checks end. We are setting them adrift. In Connecticut, that means 33,600 Connecticut individuals will lose unemployment benefits under the Emergency Unemployment Compensation Program.

I met with a group of these folks recently, and I know a lot of these people are white-collar people. Some of them are in their middle years of life, and they lost their jobs in companies that were hit by the recession. They are having an impossible time finding new employment, and, believe me, they are working so hard to try to get it—33,600 of them would be set adrift without unemployment benefits if we go over the fiscal cliff.

One estimate by the National Economic Council is that there would be $2.5 billion less in consumer spending in Connecticut, and that is basically because tax hikes will take a bite out of middle-class budgets and, frankly, some people will lose their jobs. I am afraid they will lose their jobs in many industries, including the defense industry, which remains a foundation, as the acting chair knows, of our State's economy. The NEC also estimates that we would have 1.1 percent slower growth in the Connecticut economy with the attendant harmful results of that.

I could go on and on. Title I would be forced to serve about 9,300 fewer Connecticut children. We would get $5.6 million less in funding low-income home energy assistance payments to people in our State who heat with oil, and on and on and on.

This is all my way of coming back to the point I made at the beginning and why I am encouraged by the statements President Obama and Senator MCCONNELL made this afternoon that we are close to an agreement, close to a deal.

I don't agree, I say again, that no deal is better than a bad deal. In this case of the fiscal cliff, no deal is the worst deal possible for the American people.

We passed the time when we are going to, before tonight, negotiate the comprehensive bipartisan debt reduction agreement our country desperately needs. The least we can do is protect the constituents who were good enough to send us here from the worst possible result, which is that we let the country go over the cliff. We have proved that to everybody, including people around the world who depend on American strength and watch us, that our political system has become absolutely dysfunctional.

So I hope the negotiations going on now end with an agreement, and I hope we will pass it with a bipartisan majority, a strong bipartisan majority in the Senate and the House. I certainly will support it from all I hear about it myself.

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

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

The Senator from Indiana.

TRIBUTES TO RETIRING SENATORS

JOE LIEBERMAN

Mr. COATS. Mr. President I wish to thank my friend, my long-time friend whom I hate to see leave this body, Senator LIEBERMAN from Connecticut, for his remarks.

I didn't have the opportunity to speak after he gave his farewell remarks. I do wish to say, before I get into the reason I came down here—I am happy to see him here so I can say this—it has been a joy to serve with him over the years.

I am in my second life in the Senate, and during my first life we served together on the Armed Services Committee. We did a number of initiatives together on which I was proud to be associated with him, that I believe strengthened our national economy and our security team around the world. We worked on school vouchers for DC and a number of other initiatives affecting the future of our military and other issues that were of importance to us.

Most important, from my standpoint, we worked together to bring values that each of us cherish based on our faith. JOE is of the Jewish faith, and I am of the Christian faith. We discovered on a trip to Iraq, just after Desert Storm, that we, in talking to each other, shared our respective faiths and how it affected our lives, how it affected our families, and how it helped us form decisions we make. Of course, coming from two different parties, we didn't find agreement on everything, but we found agreement on a number of things, particularly those things where we shared common values, where our faith shared common values and where individually we shared those values.

Under the direction of a rabbi from Chicago we cochaired the Center for Jewish and Christian Values, bringing

together Jews and Christians to talk about what they had in common and what values we could work together on for the betterment of our country and for the betterment of our society. Too often we bring groups together of different persuasions to discuss, argue, and debate the differences. This was different because we brought these groups together, distinguished leaders from both sides, prominent leaders from both sides, to set aside those differences and work to find those values we had in common. It was a joy to participate in that with Senator LIEBERMAN and to cochair that.

We have remained friends. His contributions to our country, not just representing a State but representing America around the world, will long be remembered and will have great impact and effect. We are losing a real talent, and we are losing a real gentleman. We are losing someone who is an example of how he conducts himself and is an example for all of us as to how we ought to conduct ourselves, and we don't always do that.

But JOE LIEBERMAN has left a lasting impression on me—and I know a number of our colleagues on both sides of the aisle—and he will be sorely missed.

One thing I am happy about is that we will continue a lifelong friendship, and I am looking forward to many more opportunities for Senator LIEBERMAN to work on matters of interest but will enjoy a continued sharing of the commonalities of our Judeo-Christian faiths.

KENT CONRAD

Ms. KLOBUCHAR. Mr. President, today I wish to recognize my colleague KENT CONRAD for his many years of distinguished service and leadership on behalf of our country and the people of North Dakota. It has been such an honor for me to serve with KENT as my neighboring Senator these last 6 years.

I like to kid with KENT that it seems like North Dakota is always in the middle of some kind of drought or flood or other natural disaster. There's actually a joke I once told him about how you can spot a tourist from North Dakota in the middle of a beach in Florida. It's easy—they are the ones putting all the sand in sandbags.

But jokes aside, KENT has been truly tireless in his work to improve our current flood prevention measures and to ensure North Dakota has the tools it needs to prepare for and recover from natural disasters.

As anyone who has worked with him on the Agriculture Committee knows, he has also been an outstanding advocate for our Nation's farmers, ranchers, and rural communities. KENT has consistently led efforts to strengthen the sugar program, which is critical to sugar beet growers in States like North Dakota and Minnesota. He played a key role in crafting both the 2002 and 2008 Farm Bills, and he was a driving force in getting the 2012 Farm Bill drafted and passed out of the Senate on a strong bipartisan vote in June.

So there is no question that KENT's expertise on farm policy will be sorely missed. As Congressman COLLIN PETERSON likes to say, ''There are only 11 people who truly understand how the complex farm payment programs work. And ten of them are in North Dakota.'' Well, with KENT retiring I guess there will only be nine.

Whether it's standing up for farmers or fighting floods or saving the Minot military base, KENT has touched and improved the lives of people in every corner of North Dakota. At the national level, he has been an outspoken leader on the issue of debt reduction and has consistently advocated for policies that benefit the middle class.

It would be impossible to do full justice to Kent's legacy in a single statement, so instead I will simply say this: North Dakota is better off because of KENT CONRAD's leadership, and so is our country. Senator, thank you for all of the friendship, wisdom and support you have shown me over the years. You will be missed, but I know that even in retirement you will continue to find ways to improve our great country and work for the people of North Dakota.

HERB KOHL

Mr. President, I wish to recognize my colleague HERB KOHL for his many years of distinguished service and leadership on behalf of our country and the people of Wisconsin.

It has been an incredible honor for me to serve with HERB as neighboring Senators these last 6 years. He is a statesman in the truest sense of the term, not to mention one of the most genuinely kind and steadfast public servants of our time. This is the reason he is so admired in the Senate, and it is how he came to be known as one of the most beloved and respected public figures in the State of Wisconsin.

Like HERB, my mom was born and raised in Milwaukee. I have many fond memories of visiting Wisconsin and can personally attest to how loved and respected HERB KOHL is throughout the State. People know him for the jobs he created as a businessman. They know him for the scholarship program created in his name. And of course, they know him for the way he ''saved basketball'' by keeping the Bucks in Milwaukee. But above all, people know HERB for his consistent record of putting Wisconsin first.

From strengthening Wisconsin's manufacturing sector and keeping jobs in the State to improving the MILC program and better supporting our dairy farmers, HERB has touched and improved the lives of people across Wisconsin and throughout the Midwest. At the national level, he has earned a reputation as a masterful policymaker with a quiet, commonsense approach to legislating that is the stuff of Senate legend. But don't be fooled by HERB's even keel.

When it comes to protecting consumers and standing up for the middle class, few people are as fiercely committed as HERB KOHL. As chair of the Antitrust Subcommittee, he has been a truly tireless champion for consumer rights and competition policy. I've seen this firsthand, while working with him on legislation to crack down on captive shipping in the rail industry and to restrict the so-called pay-to-delay deals that keep affordable prescription drugs off the market.

Senator KOHL, it would be impossible to do full justice to your legacy in a single statement. So instead I will simply say this: Wisconsin is better off because of your leadership, and so is our country. Thank you for all of the friendship, wisdom and support you have shown me over the years. You will be missed, but I know that even in retirement you will continue to find ways to improve our great country and work for the people of Wisconsin.

KAY BAILEY HUTCHISON

Mr. President, I wish to recognize my colleague KAY BAILEY HUTCHISON for her many years of distinguished service and leadership on behalf of our country and the great State of Texas.

Over the course of her 19 years in the Senate, KAY has earned a reputation for being one of Washington's hardest-working and most masterful policy makers. I've seen this firsthand, while working with her on a number of different issues over the years.

During the debate over Wall Street reform, KAY and I teamed up on legislation that helped keep the lights on at over 600 community banks in Minnesota and over 2,000 in the State of Texas. We also worked together to update and improve our Federal anti-stalking laws, making it easier for law enforcement to crack down on high-tech predators using devices like spyware and video surveillance. In both cases, I was impressed with KAY's ability to reach across the aisle and find commonsense solutions.

No matter what the issue, KAY has always stood up for the people of her State. She has been a strong and consistent voice for the people of Texas, but I also think it's important to recognize her role as a pioneer for women.

I will never forget a story KAY once told me, about how she was one of just seven women in her law school class and couldn't find a job at any of the all-male Houston law firms when she graduated. So instead, she took a job covering the Texas State Legislature for a local TV station.

KAY clearly caught the political bug, because it was just a few years later that she ran for a seat in the Texas House of Representatives. When she won, she became the first Republican woman ever elected to that body. She shattered another glass ceiling in 1993, when she became the first woman to represent Texas in the Senate. It was a milestone for women everywhere from the Lone Star State to the North Star State.

When I was running for the Senate in Minnesota in 2006, only two women had run before me and both of them had lost. This came up during my campaign

when reporters would ask me, ''Can a woman win in Minnesota?'' My response? Of course. A woman won in Texas.

So even before I knew KAY personally, I was inspired by her story and by everything she had accomplished. Senator, thank you for all of the friendship, wisdom and support you have shown me over the years. You will be missed, but I know that even in retirement you will continue to find ways to improve our great country and give back to the people of the State you love so much.

BEN NELSON

Mr. President, I wish to recognize my colleague BEN NELSON for his many years of distinguished service and leadership on behalf of our country and the people of Nebraska.

It has been an honor to serve with BEN over the past 6 years. He is a true statesman and a champion for the people of Nebraska. During his time in the Senate, BEN has earned a reputation as a pragmatist who values problem-solving over partisanship, and I have admired his sensible, commonsense approach to legislating.

BEN seemed to be destined for public service from an early age, winning his first election at the age of 17, and he is known for his consistent record of putting Nebraska first. No matter what the issue, BEN has always stood up for his State and he has improved the lives of people across Nebraska. At a national level he has been a strong voice for fiscal responsibility and shared sacrifice.

Having grown up in a small town in Nebraska, BEN has never forgotten his roots. While serving on the Senate Agriculture Committee with BEN I saw firsthand his deep appreciation and respect for the farmers, outdoorsmen, and rural communities that are vital not just to our economy but to our way of life in the Midwest.

He was instrumental in crafting both the 2008 and the 2012 Farm Bills and he has been a clear and consistent advocate for homegrown energy, leading the way on policies to help our country achieve energy independence.

He has also been a champion for our men and women in uniform, helping to ensure that members of the Armed Forces and our veterans receive the support they need and deserve.

Senator NELSON, it would be impossible to do full justice to your legacy in a single statement. So instead let me simply say this: The State of Nebraska is better because of your leadership, and so is our country. You will be missed in the Senate, but given everything you accomplished before you were elected—as Governor of Nebraska and as a successful businessman—I know in your retirement you will continue to find ways to improve our great country and work for the people of Nebraska.

OLYMPIA SNOWE

Mr. President, I wish to recognize my colleague OLYMPIA SNOWE for her many years of distinguished service and leadership on behalf of our country and the great State of Maine.

OLYMPIA has long been a friend and mentor to me. In fact, she was assigned to be my official Republican mentor in the Senate, and she has been a great one.

That was almost 6 years ago. So much has happened in that time, but throughout it all I have continued to be impressed with OLYMPIA's grace, composure and unfailing ability to find commonsense solutions. Time and again, she has reached across the aisle to put politics aside and get things done for the good of her State and the country.

In addition to being a voice for bipartisanship, OLYMPIA has earned a reputation as one of the Senate's most masterful policy makers. I've seen this firsthand, while working with her on a number of different issues over the years. OLYMPIA cosponsored my very first major bill in the Senate ''Carbon Counter'' legislation to reduce carbon emissions and combat global climate change.

I also had the pleasure of working with her to create an Airline ''Passengers Bill of Rights,'' which was included in the 2011 FAA reauthorization bill and has led to a significant decrease in tarmac delays. And we joined forces again this year, on legislation aimed at addressing sexual assault in our military by improving the process for tracking and reviewing claims.

Working with OLYMPIA these last 6 years has been an incredible privilege for me. I've respected her as a policymaker, particularly for her work on national security and small business issues. I've admired her for her outspoken leadership and commonsense approach to legislating. And maybe most importantly, I've genuinely enjoyed her as a friend and a colleague—for her kindness, for her wisdom, and for her unfailing good nature.

OLYMPIA has been a truly outstanding voice for the State of Maine and a great leader for the people of this country. To say that she will be missed would be a tremendous understatement, but I know she will continue to find ways to improve our great country and give back to the State she loves so much. Thank you, Senator SNOWE. I wish you the best.

JOE LIEBERMAN

Mr. President, I wish to recognize my colleague JOE LIEBERMAN for his many years of distinguished service and leadership on behalf of our country and the people of Connecticut.

JOE will always have a special place in my heart. As many of my colleagues know, he was actually one of my professors in college. He gave me one of my first introductions to the political process through a seminar he taught on the subject of the national political parties. Interestingly enough, Senator SHERROD BROWN also took that same class just a few years earlier. Even more interesting is the fact that everyone remembers what grade I got, but no one seems to recall what grade SHERROD got.

But I digress. Not many political science professors can say they've taught two concurrently serving U.S. Senators. JOE can, however, and I think that's an enormous tribute to his character and genuine zest for public policy. As one of his former students, I made a point of following his career over the years and always admired his political courage. But it never occurred to me that I might someday be serving alongside him in the Senate.

Working with JOE these last 6 years has been an incredible privilege for me. I've respected him as a policymaker, particularly for his work on national security and climate change. I've admired him for his outspoken leadership and commonsense approach to legislating. And maybe most importantly, I've genuinely enjoyed him as a friend and a colleague—for his kindness, for his wisdom, and for his famous sense of humor.

JOE LIEBERMAN has been a truly outstanding voice for the State of Connecticut and a great leader for the people of this country. To say that he will be missed would be a tremendous understatement, but I know he will continue to find ways to improve our great country and give back to the State he loves so much, even in retirement. Thank you, Senator LIEBERMAN. I wish you the best.

JIM WEBB

Mr. President, I wish to recognize my colleague JIM WEBB for his distinguished service and leadership on behalf of our country and the people of Virginia.

I will always have a special place in my heart for JIM WEBB, and that is because he and I were members of the same incoming class of Senators back in 2007. We ran for the Senate at the same time in 2006, and to this day I will never forget how he wore his son's old combat boots on the campaign trail. Day in and day out, no matter where he went, no matter what the weather, JIM was walking tall in those boots.

Since his very first days in office, JIM has been a tireless champion for our men and women in uniform. On day one, he introduced a 21st Century GI Bill to deliver the most comprehensive educational benefits since World War II. It led to legislation that was eventually signed into law, and it has made it possible for tens of thousands of post-911 troops and veterans to afford a college education.

While JIM is best known for his leadership on defense and military issues, he has also earned a reputation for being a problem solver who takes a commonsense, bipartisan approach to legislating. Time and again, JIM has reached across the aisle to put politics aside and get things done for the good of the country. He has been a clear and consistent voice for energy independence and a stalwart advocate for policies that benefit the middle class. As a

former prosecutor, I have greatly admired his work to improve our criminal justice system from top to bottom—not just by strengthening law enforcement, but by addressing systemic challenges of reentry and recidivism.

JIM, it would be impossible to do full justice to your legacy in a single statement. So instead allow me to end by saying this: The Commonwealth of Virginia is better because of your leadership, and so is our country.

You will be missed in the Senate, but given everything you accomplished before you were elected—as Secretary of the Navy, as an Emmy award-winning journalist, as the author of nine books—I'm confident you will find some way to occupy your time in retirement. I know you will continue to find ways to improve our great country and give back to the State you love so much. Thank you, Senator WEBB. I wish you the best.

SCOTT BROWN

Mr. LIEBERMAN. Mr. President, I rise to express my gratitude to SCOTT BROWN, with whom I have enjoyed the privilege of serving for the past 3 years. During that time, Senator BROWN and I served together on the Homeland Security and Government Services Committee, which I have chaired, as well as the Senate Armed Services Committee, where he and I have worked closely together as chairman and ranking member.

Senator BROWN's life story is a testament to our power to overcome any obstacle. His aptly titled memoir, ''Against All Odds,'' describes how despite suffering through a childhood in which he had to steal in order to help feed his sister and in which he was the victim of abuse, he rose to attend college and law school, serve in the Army National Guard, and eventually be elected to the U.S. Senate. Senator BROWN should be a role model to every young American who looks at themselves in the mirror and wonders whether they can overcome the obstacles in their path, because he has.

Senator BROWN has been an invaluable Member of the Senate and the committees on which he has served, lending a voice of reason in an ever more partisan time. As a member of the Senate Armed Services Committee, Senator BROWN played a critical role in the debate on whether to repeal the military's don't ask, don't tell policy, grilling witnesses at the committee's hearings on the issue throughout the year. Senator BROWN was forthright in his view that the law should not be changed until Congress fully understood any possible risks associated with acting on the issue, but after he had studied the report issued by the Defense Department's working group tasked with reviewing the issue, he lent his strong voice in support of repeal. For that, I am grateful, as are the tens of thousands of gay and lesbian servicemembers who no longer serve under the threat of separation because of who they are.

In the 112th Congress, Armed Services Committee's Subcommittee on Airland, he and I were responsible for overseeing the tactical aviation and land power programs of the Army, Navy, Air Force, and Marine Corps. It was a great pleasure working with SCOTT on these important matters, and I always benefitted from his experience as a guardsman when reviewing these programs.

As a member of the Homeland Security and Governmental Affairs Committee, Senator BROWN fought for and achieved passage of the Stop Trading on Congressional Knowledge Act, STOCK Act, a bill that forbids Members of Congress and their staffs from profiting in any way from the information they obtain as part of the job that is not public. It is a testament to his service in the Senate that one of SCOTT BROWN's most notable accomplishments was a bill to uphold the standards of the ethical behavior of Congress. It was an honor to work with Senator BROWN on this important effort.

As ranking member on the Federal Financial Management Subcommittee, SCOTT BROWN joined his chairman, TOM CARPER, along with full committee ranking member SUSAN COLLINS and me to introduce the bipartisan 21st Century Postal Service Act, which the full Senate endorsed on April 25, 2012. This bill reflected many hours of tough negotiations in which SCOTT played a key role, and set out a balanced plan to get the Postal Service's finances back in order.

Senator SCOTT BROWN has enriched the work of the Senate and the lives of his colleagues over the past 3 years. He brought to the Senate not only his considerable talents but a great sense of humor, which was particularly helpful in the 3 tough years he was here. I wish him and his family all the best as he opens a new chapter of his own life and know that he will continue to serve our country in ways that really matter.

THE FISCAL CLIFF

Mr. COATS. Mr. President, I came to the floor before I heard the announcement that apparently we are closing in, thankfully, on something which I don't have all the details of as yet. So I can't simply say hooray, this is exactly what we ought to do. I think neither side is going to be able to say this is what we wanted to do.

But in recognition of the fact that we are careening now—hours are ticking—hours away from a devastating impact on Americans all across the country, every taxpayer—Senator LIEBERMAN announced the statistics relative to the impact on the average family in his State, and the same is true for Indiana and for all 50 States, to impose the massive tax increases which will occur on every taxpayer at midnight tonight, without addressing that, it is just simply unacceptable.

It is hard for a lot of us to swallow how little we did in addressing the larger fiscal issue in this country in order to get past this imposed deadline on something I did not vote for and did not support because I could see it coming to this end, and it was absolutely the wrong way to legislate and the wrong way to govern—pushing us toward this fiscal cliff, laying that dark cloud of uncertainty over every business in America, every household in America.

Everyone who had any interest in investing or was trying to plan for the future kept saying: I can't make a decision. I can't make plans. I don't know what you are going to do. Are we going over the cliff? Are my taxes going to rise? Are regulations going to increase? What is the future? And if the future remains uncertain, I can't plan ahead. If it is bad certainty, I can work around it. I might not like it, but I can make the adjustments necessary.

So, as a result, we have a stagnant economy as a result of all this.

I am hoping that when we learn the details of what we have finally arrived at, which we will be learning very shortly, I am hoping it is something we can swallow hard and accept, knowing—knowing—this fiscal cliff is nothing compared to the real fiscal cliff. The real fiscal cliff is the continued excessive borrowing and spending of over $1 trillion a year that is driving this country into a serious fiscal situation for the future. And it is not just something our children and grandchildren are going to have to pay for years down the line. It is something we are all paying for now. It is something that is keeping people from getting back to work, keeping companies from expanding.

We have an obligation to our generation and all future generations to address what I believe every American who is paying any attention whatsoever understands—and certainly everyone in this body and in our corresponding House down the hall understands, whether they are a Republican, a Democrat, liberal, or conservative—is just simple math. It is not even algebra or calculus. It is third grade math. You cannot raise $2.2 trillion a year and spend $3.5 trillion or $3.4 trillion. Literally, we have now added approaching $6 trillion in just the last 4 years, and it is unsustainable. That is going to hurt everybody, and it is hurting our economy right now. That is the real cliff. That is the cliff we have to continue to address. That is the cliff we were hoping to address in the leverage of this situation, but we are coming up very, very short.

Mr. President, I didn't realize we were under a time limitation. Are we under a time limitation?

The PRESIDING OFFICER (Mr. MANCHIN). The Senator has 2 minutes remaining.

Mr. COATS. All right. I thank the Chair. I saw some angst on the face of the Chair, and I thought my time was up.

Let me just say this to my colleagues. Many of us who watched the

President's press conference—no, it wasn't a press conference; the President's speech—felt we were seeing a rerun of something that took place during the campaign. We have all been watching a lot of football, and for Republicans to sit and listen and watch that, it reminded me of taunting those people on the other team. It stops you cold. It stands over you and taunts. It got so bad that now the NFL has made it a penalty and they throw the flag. It is not something we would expect out of the leader of this free Nation. It is not statesmanship. It is not leadership. It is in your face. It was dismissive, it was insulting, it was belittling, and in the end it was sad.

Now, the natural reaction is to get angry and push back and get revenge. But that is not where we are, and that is not where we need to be. We need to set this aside. It is like the coach tapping us on the shoulder pad and saying: What was done speaks for itself; don't stoop to that level. So we need to set that aside now and go forward in the interest of the future of this country, in the interest of America and the families and people we represent in our States, and look at this very carefully.

I think every one of us is going to say we haven't begun to address the spending, we haven't begun to address what we need to do, and so that has to be our charge in 2013—relentlessly.

And I would say, Mr. President, I think people on the other side of the aisle were probably embarrassed also by that speech. It was a campaign speech, and the campaigns are over. The President doesn't need to run for office anymore. It is time to lead. So let's all get together.

We have been working together——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. COATS. I ask unanimous consent for 1 more minute.

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

Mr. COATS. I want to say this: To make laughter out of this, to ridicule it—it addresses all of us because I have been working with Senators across the aisle and they have been working with us. We all take this very, very seriously. This is not a joke. This is not something to make fun of. This is not something to politicize. This is something where we should rise above politics and do what is right for the future of America even though it is difficult. This is not doing what many of us would like to do, but we have been working together, Democrats and Republicans, and I can name dozens of Democrats who think this is a serious matter and who have been working hard for the last 2 years to try to address it, as frustrated as we are on this side.

So let's understand this is not a game. This is real. Let's work together to do what we can do and then continue to address the real issues as we go forward in 2013.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, let me first of all join my colleague from Indiana in expressing my concern about where we are on taxes and spending and my hope that we get somewhere and get somewhere quickly.

We have certainly brought this down to the last moment. For months, many people on this floor talked about the importance of certainty as it relates to our economy moving forward, of certainty as it relates to family farms and small businesses and whether they can stay in the next generation of that family. So I hope we can achieve those things in the next coming hours as we finish this day and whatever it takes to create that level of certainty at the highest possible levels. How it impacts American individuals and families will be important.

The kinds of things we are hearing about the agreement—that we might be able to go forward generally—sound as though, for most Americans, they will solve problems that have been out there now for decades. Temporary tax policies—even tax policies that last for a decade, particularly when they relate to things such as the inheritance tax or the death tax—create problems that can be solved by just simply driving that place in the Tax Code and saying: This is what our policies are going to look like, and here is why they make sense for the American people. And hopefully we get there.

(The remarks of Mr. BLUNT and Ms. LANDRIEU are printed in today's RECORD under ''Submitted Resolutions.'')

The PRESIDING OFFICER. The Senator from Louisiana.

RECOGNIZING CHIEF JUSTICE CATHERINE KIMBALL

Ms. LANDRIEU. Mr. President, I rise today to recognize Louisiana Supreme Court Chief Justice Catherine D. Kimball, who is scheduled to retire in 2013. It was 1975 and the courtroom was packed in New Roads, LA. The people in the courtroom weren't there to hear the ruling on the salesman who allegedly scammed an elderly gentleman. They were there to see Catherine D. Kimball—the first female lawyer to argue a case in the New Roads courtroom. Catherine Kimball, affectionately known as ''Kitty'', later became the first female Chief Justice of the Louisiana Supreme Court. She will retire on February 1, 2013 and I rise today to offer remarks about this very accomplished woman.

Chief Justice Kimball brought a diverse legal background to the bench and exemplified leadership as a Justice on the Louisiana Supreme Court. While breaking the glass ceiling, she demonstrated a commitment to juvenile justice and legal scholarship. Chief Justice Kimball is truly a pioneer in the Louisiana legal community and a great legal scholar.

Catherine Kimball decided to attend law school during her freshman year of college. So in 1966, after earning her Bachelor of Arts at Louisiana State University, she enrolled at LSU law school. While attending law school, the future Louisiana Chief Justice met Clyde Kimball on a blind date. The two were married in January of 1967. By 1970, Chief Justice Kimball was graduating law school with two children and another on the way. After graduating from law school, she clerked for a Federal judge in Alexandria, LA before returning to Baton Rouge, LA to investigate construction fraud allegations in the Attorney General's office. In 1975, the family moved to New Roads where she opened her private practice in New Roads, LA.

Although Chief Justice Kimball enjoyed success early in her career, she also faced her share of adversity. At one point, she sat down with the president of the bank to discuss borrowing money for her law practice. The bank president informed her that her husband had to sign off on her loan. Chief Justice Kimball said, ''Excuse me—are you not aware of the new law that just passed? My husband does not have to sign a note for me to borrow for my law office.'' She was committed to succeed despite all obstacles.

As a result of her perseverance, Chief Justice Kimball became the first female judge in the 18th Judicial District in Louisiana in 1983. Members of the legal community quickly recognized her talent and potential and in short order, the legal community encouraged her to run for the Supreme Court. Chief Justice Kimball hesitated, saying she loved working as a district judge too much to leave that behind. Nevertheless, she became the first woman elected to the Louisiana Supreme Court in 1992.

Chief Justice Kimball demonstrated strong leadership skills soon after joining the court. In the aftermath of Hurricane Katrina, when then Louisiana Chief Justice Pascal Calogero was evacuated from his home in New Orleans and displaced in Dallas, he turned to Justice Kimball for support. Chief Justice Kimball served as the court's point person and worked with FEMA to get reimbursements and get the courts and lawyers back to work in New Orleans. That was the beginning of a long road ahead as Chief Justice Kimball dealt with Katrina issues for at least the next 5 years.

On January 1, 2009, she became the first female Chief Justice of the Louisiana Supreme Court. As Chief Justice, she strengthened her reputation as a brilliant and tireless advocate for justice. She became known for her work to preserve the judiciary as an equal and independent branch of government and collaborated with the legislature; Republicans and Democrats alike. Most of all, she made her mark by making strides in juvenile justice.

Chief Justice's dedication to juvenile justice developed from understanding

the effects that courts can have on children. Through her work in juvenile justice, she earned the respect of members of the national and local judicial communities. Judith S. Kaye, a retired Chief Justice of New York, said of the Chief Justice, ''She was outstanding in many ways, but for me most of all on the vexing issues concerning juvenile justice. The Chief Justice's ideas and initiatives drew my attention even before she became Chief Justice.'' Sue Bell Cobb, the Chief Justice of Alabama, also praised Chief Justice's work on juvenile justice. ''Children,'' she said, ''do not vote and do not have a voice in arenas in which public policy is made. In Louisiana, Chief Justice Kimball has been their voice.''

In Louisiana, former Louisiana Chief Justice Pascal Calogero said, ''Justice Kimball's contributions to the juvenile justice system, as well as the Judicial Leadership Institute, and other progressive judicial matters, were immeasurable. When she became Chief Justice, I knew that she would become one of the most active and respected chief justices in the history of the court.'' I could not agree more. Chief Justice Kimball has made her mark in history for many reasons, but especially for her work in juvenile justice.

The Chief Justice's accomplishments are of equally important significance for women pursuing legal careers in Louisiana. My sister Madeleine became a State court judge in 2001. When I asked Madeleine what Chief Justice Kimball's career has meant to her, she said, ''When Chief Justice Kimball took her seat among her six white male justices, it had a huge impact on me as a woman lawyer. The grace and dignity and excellence with which Chief Justice has held herself has shown us there are no limits to where we can go. It made such lofty goals not as scary to us anymore.'' Chief Justice Kimball always strives to reach her full potential and encourages others to do the same.

Among Chief Justice's endless list of accomplishments is her creation of the Judicial Leadership Institute in Louisiana. She recognized the important leadership role of a judge as both an employer and as a member of a community. She saw the value of judges of every level being in a room together and learning together. So she took the initiative to organize a training course which meets 7 days a year. This exemplifies so many of Chief Justice Kimball's great qualities—her devotion to the justice system and to the future of our state, her humility and her ability to be a strong leader while simultaneously being part of a team.

As the Chief Justice prepares to retire, I commend her for her years of service to our State and for her unwavering commitment to the Louisiana Constitution. Although she will step down at the end of January, the impact she made on the nearly 4.6 million citizens in our State will live on beyond her retirement, just as the people in that courtroom in New Roads, LA will never forget the day they saw Chief Justice Kimball make history.

RECOGNIZING BERNETTE JOHNSON

Ms. LANDRIEU. Mr. President, I rise today to recognize a trailblazer and role model: Louisiana Supreme Court Justice Bernette J. Johnson. On February 1, 2013, Justice Johnson will become Louisiana's first African-American Chief Justice and only the second female jurist in Louisiana history to hold that office. It is fitting that the first woman elected to the Civil District Court of New Orleans—a woman who has devoted so much of her life to working as an advocate for social justice, civil rights and community organizing—would achieve this historic milestone.

Justice Johnson's commitment to civil rights began in the 1960s, when she began working as a community organizer with the NAACP Legal Defense & Educational Fund. She worked with community groups in Alabama, Mississippi, Georgia, North Carolina, South Carolina, Tennessee and Louisiana, disseminating information about recent school desegregation decisions and encouraging parents to take advantage of newly desegregated schools. Justice Johnson brings a unique perspective to the bench that is informed by principles of justice and equity.

An alumnus of Spelman College in Atlanta, Justice Johnson received her Juris Doctor Degree at the Law School at Louisiana State University, where her portrait now hangs in the Law Center's Hall of Fame. While in law school, she worked at the U.S. Department of Justice examining cases filed by the Department to implement the 1964 Civil Rights Act. These cases primarily concerned discrimination in public accommodations. Following law school, Justice Johnson became the managing attorney with the New Orleans Legal Assistance Corporation, where she provided legal services to over 3,000 clients in socio-economically deprived neighborhoods.

Justice Johnson worked in the Federal and State District Courts advancing the rights of the poor, the elderly, and the disenfranchised, and in the Juvenile Court advancing the rights of children. In 1981, she joined the City Attorney's staff, and later became a Deputy City Attorney for the City of New Orleans. There, she attained extensive trial experience in the Civil District Court and U.S. District Court defending police brutality claims and general tort claims filed against the City of New Orleans. Her experience fighting to protect the rights of the under privileged undoubtedly prepared her for service on the bench.

Justice Johnson began her judicial career in 1984 as the first woman elected to serve on the Civil District Court of New Orleans. There, she took the initiative to establish a system to refer custody, alimony, and child support issues to mediation conducted by certified social workers of the Children's Bureau and Family Services, prior to court appearances. She was elected to the Supreme Court in 1994 and re-elected in 2000. She serves on the Louisiana Supreme Court's Judicial Council, and has served on the Court's Legal Services Task Force, as well as the National Campaign on Best Practices in the area of Racial and Ethnic Fairness in the Courts.

This is a truly a moment to be remembered, not just for the people of Louisiana, but for Americans all across the country. From advocating with the NAACP, to helping implement the 1964 Civil Rights Act, to becoming Louisiana's first African-American Supreme Court Justice, as she has now, Bernette Johnson's life and career is a testament to the spirit of the civil rights movement and the countless Americans who fought tirelessly to open the doors of equality. I congratulate Justice Bernette J. Johnson on a stellar legal and judicial career and thank her for her fighting spirit, commitment to equality, and deep respect for the dignity of all citizens. I have no doubt that she will continue to serve the people of Louisiana well.

RECOGNIZING LEAH CHASE

Ms. LANDRIEU. Mr. President, I rise today to ask my colleagues to join me in recognizing the 90th birthday of the ''Queen of Creole Cuisine,'' Mrs. Leah Chase of New Orleans, LA.

Mrs. Chase was born in Madisonville, LA on January 6, 1923, and moved to New Orleans as a teenager to attend high school. It was in New Orleans that she developed her love for food and feeding others. Mrs. Chase married her husband, Edgar ''Dooky'' Chase Jr., in 1946, and they took over the family business—one of the best-known and most culturally significant restaurants in New Orleans, Dooky Chase's.

Mrs. Chase has cooked for jazz royalty, like Duke Ellington; for heads of state—among them Presidents George W. Bush and Barack Obama; and for the civil rights movement's greatest champions, like Justice Thurgood Marshall and Dr. Martin Luther King, Jr. And though she is well-known for having catered to America's history makers, perhaps her greatest achievement is having quietly created a community where people are taken care of, no matter their situation in life. Mrs. Chase always takes care of those in need. She makes it a point to know not only the names of her patrons, but also their stories. And that feeling of a closely knit community where people look out for each other is why New Orleanians have been dining with Mrs. Chase for three generations. They are family to her, just like her four children, sixteen grandchildren and 22 great-grandchildren.

Mrs. Chase has received too many awards to mention. Among them are the 1997 New Orleans Times-Picayune

Loving Cup Award, which annually recognizes citizens who have worked unselfishly for the community without expectation of public acclaim or material reward; the National Conference of Christians and Jews Weiss Award, which is presented annually to four outstanding community leaders who have been influential in promoting the advancement of social understanding and care; and the National Council of Negro Women Outstanding Woman Award. In addition to earning numerous awards, Mrs. Chase serves on the boards of many non-profit organizations, including the Arts Council of New Orleans, the New Orleans Museum of Art, and the Urban League.

Mrs. Chase has been and continues to be an inspiration to all who know her. It is with a heartfelt sincerity that I ask my colleagues to join me along with Mrs. Chase's family in recognizing the life and many accomplishments of this extraordinary woman.

The PRESIDING OFFICER. The Senator from Pennsylvania.

HONORING OUR ARMED FORCES

PENNSYLVANIA'S FALLEN HEROES

Mr. CASEY. Mr. President, as we confront a whole range of difficult issues at the end of this year and at the end of this Congress, we should also be reminded we have fighting men and women serving for us all over the world.

We think especially tonight of those serving in Afghanistan and those who served prior to that time in Iraq. At various times we have come to the floor and recited the names of those who were killed in action, and tonight I am joined by my colleague Senator TOOMEY to read the names of Pennsylvanians who gave, as Lincoln said, the last full measure of devotion to their country—those who have been killed in action in Afghanistan over the course of parts of 2011 and 2012.

I yield the floor for my colleague, Senator TOOMEY.

The PRESIDING OFFICER. The junior Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I thank my colleague, the senior Senator from Pennsylvania, for organizing this brief tribute that is so much deserved by the men and women we are acknowledging today.

I wish to begin by extending my deepest condolences to the families, friends, and loved ones of these Pennsylvania heroes whom we are going to acknowledge this evening. In the lives our servicemembers led and the cause for which they died, these folks represent all that is great about America.

Many enlisted right after graduating from high school, and during those very tough and grueling days and weeks in basic training they had probably never heard of places such as Anbar Province in Iraq, the Tangi Valley of Afghanistan or the other areas in those nations where they fought and ended up dying for our country.

But these Pennsylvanians join a long line of soldiers, sailors, airmen, marines, and Coast Guard members who have given the supreme sacrifice to their country, a line that extends well back in the latter part of the 20th century and includes World War II, the Korean war, the Vietnam war, and of course the global war on terrorism.

It is no accident that Pennsylvania has suffered very heavily in this conflict, as it has in other conflicts throughout our Nation's history. I think it is because in towns across the Commonwealth of Pennsylvania, towns and cities such as Dallastown, Easton, Philadelphia, and Erie, there are certain values that are deeply rooted in these communities: importance of family, importance of faith, importance of community, and the importance of public service, including very much the service to this Nation.

The conviction that freedom is worth defending is one of those convictions and the belief that a cause worth fighting for is not just someone else's responsibility. These are the values that have shaped these men and women, their families, their churches and houses of worship, and their communities.

These values were exemplified in the lives of our fallen men and women in service, and they will forever be honored by Pennsylvanians as the native sons and daughters of our great Commonwealth for their service to the country.

I will read the names of the men and women who have made the supreme sacrifice for courage in this conflict, and Senator CASEY will complete the list: PFC David Anthony Jefferson, U.S. Army, Philadelphia; SGT Louis Robert Fastuca, U.S. Army, West Chester; SPC Jesse David Reed, U.S. Army, Orefield; LCpl Abram Larue Howard, U.S. Marine Corps, Williamsport; SPC Dale Justin Kridlo, U.S. Army, Hughestown; SPC Anthony Vargas, U.S. Army, Reading; SSG Sean Michael Flannery, U.S. Army, Wyomissing; GySgt Justin Edward Schmalstieg, U.S. Marine Corps, Pittsburgh; MSG Benjamin Franklin Bitner, U.S. Army, Greencastle; 1LT Demetrius Montaz Frison, U.S. Army, Lancaster; SSG Edward David Mills Jr., U.S. Army, Newscastle; Sgt Joseph Michael Garrison, U.S. Marine Corps, New Bethlehem; Ssgt Patrick Ryan Dolphin, U.S. Marine Corps, Moscow; Sgt Christopher Matthew Wrinkle, U.S. Marine Corps, Dallastown; PO1 Michael Joseph Strange, U.S. Navy, Philadelphia; TSgt Daniel Lee Zerbe, U.S. Air Force, York; SSG Eric Scott Holman, U.S. Army, Evans City; Lt. Col. Christopher Keith Raible, U.S. Marine Corps, North Huntingdon; CPO Nicolas David Checque, U.S. Navy, Monroeville; CDR Job W. Price, U.S. Navy, Pottstown; and finally, MAJ Wesley James Hinkley, U.S. Army, Cumberland City.

I yield the floor to the senior Senator.

The PRESIDING OFFICER. The senior Senator from Pennsylvania.

Mr. CASEY. I thank the Senator for reading the first half of our names, and I will continue with 20 more names: Sgt Derek Lee Shanfield, U.S. Marine Corps, Hastings, PA; SFC Robert James Fike, U.S. Army, Conneautville; SFC Bryan Alan Hoover, U.S. Army, West Elizabeth; Sgt Joseph Davis Caskey, U.S. Marine Corps, Pittsburgh; LCpl Joshua Thomas Twigg, U.S. Marine Corps, Indiana; CPL Joshua Alexander Harton, U.S. Army, Bethlehem; LCpl Ralph John Fabbri, U.S. Marine Corps, Gallitzin; SSG David Jee Weigle, U.S. Army, Philadelphia; Cpl Eric Michael Torbet, Jr., U.S. Marine Corps, Lancaster; CPL Jarrid Lee King, U.S. Army, Erie; SGT Robert Curtis Sisson, Jr., U.S. Army, Aliquippa; PFC John Francis Kihm, U.S. Army, Philadelphia; 1SG Kenneth Brian Elwell, U.S. Army, Erie; SGT Edward William Koehler III, U.S. Army, Lebanon; SSG Brian Keith Mowery, U.S. Army, Halifax; SSG Kenneth Rowland Vangiesen, U.S. Army, Erie; SrA Bryan Richard Bell, U.S. Air Force, Erie; CPT Michael Cean Braden, U.S. Army, Lock Haven; PFC Cameron James Stambaugh, U.S. Army, Spring Grove; and finally, SSG Brandon Robert Pepper, U.S. Army, York, PA.

As I conclude the list of Pennsylvanians who were killed in action over approximately a 2-year time period in Afghanistan—and one of the names that was read was killed in Iraq—we remember and think of them, and obviously we are paying tribute to them on a night like tonight. At the same time, we are also thinking of their families as we pay tribute to them.

I am reminded of the great recording artist Bruce Springsteen. One of his songs was entitled ''You're Missing,'' and the refrain over and over again is ''you're missing.'' He was able to sing, but I won't. The song goes something like this: You're missing when I shut out the lights; you're missing when I close my eyes; you're missing when I see the sunrise.

For all those families out there who lost someone in Afghanistan, Iraq, or in other conflicts, we are thinking of them tonight because they are missing someone in the midst of this end-of-the-year and holiday season. We are remembering them tonight and paying tribute to those they loved and lost and also remembering them in our prayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

THE FISCAL CLIFF

Mr. CARDIN. Mr. President, it is indeed unique that on New Year's Eve we are in session. We still have some very important business we need to take care of for our Nation. We should not have put our country in this position. We should have acted well before December 31. We all understand that, but it is important that we get this work done in the remaining hours of this term of Congress.

On Thursday, the 113th Congress will take the oath of office and we will start a new Congress. Before that, we must get the work of this Congress finished. At a minimum, we need to deal with the impact of tax rates that would go up for every taxpayer in this country unless we take action before this Congress adjourns.

We need to protect middle-income families. We all talked about it. We know that needs to be done. We need to protect Americans from the tax increases that will take effect for the overwhelming majority of Americans—those who are middle-income taxpayers. We need to do this first and foremost because it would create an incredible burden on working families to pay an extra $2,000 to $4,000 of taxes, and we also need to do it to help our economy. That type of money coming out of the economy through additional tax increases would have a very detrimental impact on our economy, which is coming out of a tough period.

We also need to deal with what we call sequestration. I was listening to the senior Senator from Maryland, chair of the Appropriations Committee, Senator MIKULSKI, talk about the effects of sequestration. She is right. Some people may not understand that term, but what it means is that there will be dramatic cuts in governmental agencies, which will not only affect the performance of those agencies but also the contracts they let to the private sector. It will affect not only our domestic budget but our military budget. She went through a lot of the different impacts it will have, from children who are in jeopardy of losing their support from Head Start, to our researchers being denied the resources they need in order to do work that is vital to our economy.

The bottom line is that if we allow the across-the-board cuts to take effect, it will hurt our economy and hurt the job growth in America. We cannot allow that to happen. I expect that we can get this done before this Congress adjourns on January 2.

We also need to deal with what we call the physician fix of Medicare. We can get that done in this Congress. If not, doctors who treat our seniors and our disabled population will find that there will be almost a 30-percent cut in their physician reimbursement. Many physicians would say they are not going to treat seniors any longer with that type of reduction. We understand that. We need to make sure we take care of protecting the reimbursement rates for physicians in the Medicare system. We need to get that done and can get it done before this Congress adjourns.

We need to extend unemployment insurance. There are millions of Americans who depend on unemployment insurance in a soft economic time. They cannot find jobs. Again, this is not only important for the individuals who would be cut off if we do not extend the benefits, it is also important for our economic recovery.

We also need to extend the farm bill. We have heard the consequences if we don't do that. I had hoped they could pass a bill—which this Chamber passed—over in the House. It is unlikely we can get that done in the next 2 days, so we need to make sure we at least extend the current FARM policies in order to make sure we protect the security of our agricultural community and food prices here in America.

All of that we can get done. Hopefully we can get it done tonight but certainly before we adjourn on January 2. We need to complete that work in order to keep our economy moving and to protect the interests of the people in this Nation. Quite frankly, I don't think there is much disagreement in this Chamber as to the method to get that done.

I am disappointed that we are not dealing with a broader budget framework for our Nation. We should have done that well before now. We should do it for many reasons. For one thing, we need it. We have a deficit that is not controllable. We have to bring our deficit into better control. In order to do that, we need to reduce spending and we need the revenues in order to be able to give the right blueprint for America's future and growth.

We also need to get a broader package done because of predictability. The private sector needs to know what the rules are, and they need to know what the Tax Code and spending programs are going to look like. They need to have the confidence that we have our budget under better control. We should have gotten that done.

I have spoken several times on the floor about how we should have adopted the Simpson-Bowles framework. To me, that was a bipartisan, balanced approach for how we could have gotten out of our fiscal problems. We are not going to be able to get that done in the next 2 days before we adjourn on January 2, but we need to recognize that we need to do that.

I have heard a lot of my colleagues come to the floor to speak, and I have to clarify a couple of points. Simpson-Bowles was basically a $4 trillion, 10-year deficit reduction package. It was booked up as the right approach. Many of us have been asking, how we can get $4 trillion done? Well, it is interesting that with the Simpson-Bowles approach, approximately 60 percent was in spending reductions and about 40 percent was in revenue. That was a balanced way to bring down spending but also bring in the revenues we need in order to get our budget into better balance. That is the proper way to do it.

Since the recommendations of Simpson-Bowles, we have done $1 trillion in deficit reduction in domestic discretionary spending. We have gotten that done. Those budget caps are real, and we are living within those budget caps. Sequestration—these across-the-board cuts—would get another $1.2 trillion of spending cuts done. We should not do it through sequestration, but all of us recognize that we need to find ways to reduce spending further.

I have talked on the floor about how we can get that done, particularly in the health care field. Yes, we have to reduce the cost of Medicare, but the way to do it is to reduce the cost of health care. We would have fewer readmissions to hospitals if we implemented the right delivery system protocols, and we would save money for our economy and Medicare. If we use preventive health care appropriately, people will enter our health care system in a less costly way, with more people insured and less use of emergency rooms. Once again, we save money.

Our committees need to come up with these solutions. It is not going to happen with two or three people getting together and coming up with a package. We need the Senate and its committees to work and come up with the right way to reduce the cost of these programs. I think we can do it basically by making the health care system more efficient, and that is much better than cutting benefits. I hope we can work together to get that done. We need to do that.

Yes, we need revenue. I heard some of my colleagues come here and say: Well, look at all the revenue we are going to get under this supposed agreement that has been talked about, which hopefully we will get as early as tonight. We already made a compromise. The rate at which no American will see any increase in taxes looks as if it will be higher than $250,000. It has been reported it is going to be closer to $400,000. OK. Well, now, what does that mean? That means we are going to get less revenue as a result of this agreement reached tonight. The numbers I have seen—and this may very well change based upon the agreement; hopefully, we are going to have an agreement—but somewhere around $500 billion to $600 billion. That is far short of the $1.2 trillion or $1.4 trillion we have been talking about—the whole—in order to reach that $4 trillion number we all say is the minimum amount we need as per the Simpson-Bowles numbers. So we are going to need more revenue.

Here is the rub, here is the challenge: When we start looking to get more revenue, we are talking about now getting it through tax reform. We all understand we have to reform our Tax Code. It is difficult to do that when we have to produce revenue at the same time because people are looking at trying to do something about rates. Well, since we need the revenue for the deficit reduction package, it will be more difficult.

My point is this: I am disappointed we haven't gotten our work done well before tonight, but it is urgent that we work together, Democrats and Republicans, and get the minimum amount done the American people expect; that is, to make sure tax rates don't go up for middle-income families. We can get

that done. We can get that done as early as tonight. We should avoid the immediate sequestration order because that makes no sense—these across-the-board cuts—and figure out a way we can have a much more orderly process for reducing government spending.

We should make sure Medicare is not jeopardized by having a physician fix done in this compromise. We should make sure for the people who are getting unemployment insurance, to maintain their benefits. And we should extend the farm bill. That we can get done in the remaining hours of this legislative session.

I urge my colleagues to continue to work together. I am hopeful our leaders are negotiating a package that can be brought to the floor as early as tonight, certainly before we adjourn on January 2. If we do that, then I think we have completed as much of our business as we can, as well as setting up for the debate in the 113th Congress which will indeed be challenging. But I urge us to work together and put the interests of the American people first.

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

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

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that morning business be extended until 7 p.m., with all other provisions remaining in effect.

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

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from North Dakota.

Mr. HOEVEN. 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. HOEVEN. Madam President, I rise this evening to once again address the fiscal cliff. Clearly, the time to debate has come and gone. The simple fact is we need to act and we need to act now.

Earlier today, we heard from the President, and what I heard from the President is that he feels we have the framework for an agreement on taxes. Also, the Senate minority leader has indicated, after his negotiations with the Vice President, that he believes we have the basic agreement on a tax proposal to avoid the fiscal cliff. So let's take that step. Let's address the tax piece. Let's get it done.

Granted, the tax proposal is not the big agreement that will fully address our debt and deficit—an agreement we hope to be able to put together, an agreement I support and one that includes tax reform, bipartisan entitlement reform, and finding savings in the Federal budget. Clearly, these items all need to be addressed, and they need to be addressed on the order of $4 trillion to get our deficit and our debt under control.

That is the type of deal I favor, and it is the kind of deal we have to get to. But if we can't do it all at once, let's do it in pieces. As the old saying goes, even the longest journey begins with a single step. If the first step is this tax deal, let's get going. To break the logjam, let's start with this piece—a tax deal that will ensure taxes are not increased for middle-class Americans. That is something we can and we must do. It does involve compromise. For example, I believe we should extend the current tax rates for all taxpayers. Real revenue comes from economic growth, not higher taxes. By closing loopholes and limiting deductions, we can create a simpler, fairer Tax Code that will help our economy grow.

President Obama, however, has a different view, so we are forced to find common ground. In this case, that means extending the tax rates we can to help as many Americans as possible avoid higher taxes. We also need to fully address sequestration. Sequestration involves automatic spending cuts. Those spending cuts hit the military disproportionately, and I believe they need to be revised. But the pressure to do that kicks in after January 1, and I believe that pressure will serve as a catalyst for Congress to come up with and pass better alternatives.

Also, we must address the debt ceiling, and it must be addressed in a way that reduces spending. We have no choice. We are borrowing 40 cents of every $1 we spend, and that is simply not sustainable. But, again, we have to break the current logjam, and if we can't get all these things done in one package, then let's get started with what we can do. Let's get this tax piece done for as many working taxpayers as possible and immediately move on to the next tax. Quite simply, that is what Americans want us to do.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Ms. STABENOW. Madam President, I ask unanimous consent that morning business be extended until 9 p.m., with all other provisions remaining in effect.

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

THE FARM BILL

Ms. STABENOW. Madam President, I am here tonight to talk about agriculture and the 16 million people all across our country who have jobs because of agriculture. What I am very concerned about is the way in which an extension is being talked about as part of the larger package this evening that goes against my wishes, the wishes of our committee, the chairman in the House—Chairman LUCAS and I—our four leaders, working together on an extension that works and extends all the programs for agriculture through the end of the fiscal year, giving us time to pass a farm bill. Again, I am very concerned about what I am hearing this evening.

Let me first go back and say how appreciative I am and proud of all of us in the Senate for having passed a farm bill last June. We all know what it did—more reforms than we have seen in decades, $24 billion in deficit reduction. I understand the proposal now—the negotiations going on are attempting to find ways to pay for some provisions in the large package. We sit here with $24 billion in deficit reduction in a farm bill that has reforms in it that support our farmers and ranchers across the country but reforms through consolidation, efficiencies, and cutting subsidies that we have agreed should not be paid, that the country cannot afford to pay to farmers who do not need them. We worked very hard on that. We passed that in June by a large bipartisan vote. We worked together in committee in a bipartisan way.

It is deeply concerning to me that instead of working in a bipartisan way, as we have done throughout this process—even though the House never took up the bill that was passed out of their committee in a bipartisan way, we here have worked in a bipartisan way until now, until this moment, at the eleventh hour, as we are dealing with very important issues—whether we are going to make sure middle-class families do not see tax increases starting tomorrow. And no one has fought harder to make sure the middle-class families of Michigan and across the country get those tax cuts than I have, and we know we need to get things done, but we also need to make sure that in the end we are not putting agriculture farmers and ranchers at a disadvantage in the process.

So we on a bipartisan basis—in the House, in the Senate—worked together, knowing, when it became very clear that the House leadership, the Speaker, had no intention of taking up the farm bill in the House despite the fact that farmers need the certainty of a 5-year farm bill and disaster assistance—when that became clear, we turned to the

next responsible approach, which was to work together on how we could keep in place farm programs, making sure we address what is now being called the dairy cliff in terms of milk prices that over time would go up—not immediately but over time—if nothing is done; disaster assistance; and keep in place the provisions of the farm bill that we passed that we agreed were important for rural communities, for energy security for our country, for jobs, for farmers and ranchers.

Now I understand that the Republican leader has insisted in his negotiations that only part of the farm bill be extended for the next 9 months—not all of it, not all of the pieces that affect rural America and farmers and ranchers, but only part of it. They call that a clean extension because of the way the funding and baseline work. I call that—well, I will not say what I would call it, frankly, except to say that this is bad news for American agriculture and certainly for the people whom I represent in Michigan.

Now, why do I say that? Well, first of all, in our extension, we make sure we keep our commitment on disaster assistance. We passed an important disaster assistance bill a few days ago here in the Senate. I supported that, but agriculture was not in it. The majority of the counties in this country suffering from severe drought, cherry growers in my State being wiped out, other fruit growers having problems—nothing for agriculture. Well, we in our extension make sure for this year and next that livestock and fruit growers have the disaster assistance we passed in the farm bill, and we pay for that.

We also make sure we continue to have an energy title in the farm bill. Now, when we look at getting off of foreign oil and creating real competition, advanced biofuels are doing that. We are now creating jobs across Michigan and America in something called biobased manufacturing, using agricultural products to offset petroleum and other chemicals and products, and we are creating jobs. We are doing that in part through support from the energy title of the farm bill.

The Republican leader's way of extending the farm bill would have zero—there would be no energy title, zero. That is absolutely unacceptable. We also would not see the full conservation title extended, key areas involving protecting land and open spaces that I know Ducks Unlimited and Pheasants Forever and others who hunt and fish care deeply about in terms of protecting our open spaces.

Other areas that protect our land and our water would not be extended under this partial farm bill extension. We would not see critical research for organic or specialty crops that are so important that create almost half the cash receipts in agriculture in the country. We would not see that support continue.

There are multiple things that would not continue, not because we have gone through a process to eliminate them—in fact, 64 Senators in this body voted to continue them, and in some cases to increase funding in those areas while cutting back on the subsidies that we should not be spending money on. But here is what happened under this extension.

The subsidies we agreed to end continue. It is amazing, you know, how it happens that the folks who want the government subsidies find a way to try to keep them at all costs. Not in the light of day. They could not sustain a debate in the committee or a debate on the floor where we voted to eliminate direct payments. But somehow they are able to come back around at the end and keep that government money, even when prices are high, even when no one could look straight in the face of any taxpayer and say they ought to be getting that subsidy.

Yet under the Republican leader's partial extension of the farm bill, those subsidies we voted to eliminate would be fully continued. Now, in our version, agreed to by Chairman LUCAS and me, put on the calendar by Speaker BOEHNER, on the suspension calendar in the House by the Rules Committee in the House, agreed to on the calendar in the House, we would shave a portion of those subsidies to make sure we continued to fund all of the farm bill for the next 9 months until we can once again come together and write a farm bill.

But I have to say, as someone who has been operating in good faith in the committee and on the floor, to find this situation occurring that is not agreed to on a bipartisan basis, not put forward on a bipartisan basis, I find to be absolutely outrageous. It makes you wonder what is going on here. If in the end, the things we agreed to, the things we worked hard to develop into a farm bill that saves $24 billion, at a time when we are—right now people are sitting in rooms trying to decide how to get deficit reduction. We passed something that saves $24 billion in a fiscally responsible way, cutting programs. We cut 100 different programs and authorizations. We went through every single page of the farm bill, which is what we ought to be doing in every part of government to be responsible, to make the tough choices, to set good priorities. We did that.

Now, at the last minute, none of that matters? They are trying to stick in an extension that only extends part of the farm program and keeps 100 percent of the direct subsidies going. That is amazing to me, I have to say. That is absolutely amazing to me. I want to hear someone justify that on the Senate floor.

We are going to hear all kinds of things. Well, the extension involves possibly a budget point of order. This whole bill coming to the floor is going to have multiple points of order that we are going to have to waive. This is not about procedure or budget points of order, it is about whether we mean it when we say we want to reform agriculture subsidies; whether we mean it when we say we care about rural America and farmers and ranchers who want to know that they can have the certainty of a 5-year farm bill and not just limp along.

I can see it coming, limping along, limping along, extension after extension, just like we seem to see happening everywhere here. I thought agriculture was the one area where we were not going to do that. I was so proud when we came together on a bipartisan basis and worked together. Regular order. The leaders, both sides, this is the right way to do things. It was regular order, 73 amendments. We went through it.

Mr. MERKLEY. Would the Senator from Michigan yield for a question?

Ms. STABENOW. I would be happy to.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. I thank the leader of the Agriculture Committee, my colleague from Michigan, who has steered this Chamber through such a complex set of issues in trying to address the true agricultural needs of our Nation while spending the taxpayers' dollar efficiently, and, in fact, producing a huge amount of savings in the overall bill.

But I wanted to ask a couple of questions in regard to the points the Senator from Michigan is making. If I understood the Senator right, first, the disaster assistance for America's ranchers and farmers and orchardists that has been approved in the farm bill and sent to the Senate is not in the Republican leader's version that he wants to put through the floor of this Chamber?

Ms. STABENOW. Yes, I would say to my friend and strong advocate on these issues, it is not. Those disaster provisions are not in the extension he has arbitrarily on his own put forward.

Mr. MERKLEY. Just a couple of days ago, due to the efforts the Senator engaged in, and I engaged in and others joined us—Senator BLUNT was very instrumental—we had a debate about putting those emergency provisions into the emergency bill for Hurricane Sandy. I heard the Republican leader of the Budget Committee stand up and say: Don't worry, farmers and ranchers of America, because we are going to get those provisions passed in the farm bill.

But from what I am hearing now, that promise is being broken tonight by the Republican leader?

Ms. STABENOW. If I might respond, yes, that is exactly what is happening. Without consultation with me or with the chairman in the House, we now have a partial extension of the farm bill. These are complex issues that involve a lot of pieces when you try to extend all 12 titles of the farm bill. They not only do not extend all of the titles, but they do not include critical disaster assistance, which, as the Senator knows, our farmers and ranchers have been waiting for across America.

Mr. MERKLEY. So if I can try to translate this for the farmers and ranchers in my State of Oregon and the orchardists and ranchers in the Senator's State, this Chamber committed itself to restoring the emergency disaster program either through the farm bill or through some other mechanism, but we have left them hanging since the fires and the drought of July and August. Since the cold weather problems that occurred a year ago, we have left them hanging without disaster assistance. Now, the promise made a couple of days ago that we get this done in the farm bill is being broken.

How can I possibly explain to my farmers and ranchers that when they had the worst fire in a century, larger than the State of Rhode Island, that burned their fences, burned their forage, burned their cattle, when others had some of the coldest weather that destroyed the crops, how can I explain to them that not only do some of our Republican colleagues, and apparently the Republican leader, consider that not to be a disaster, but the very argument made a couple of days ago to not put it in the Sandy bill is now being thrown aside?

Ms. STABENOW. I would say to my friend and colleague from Oregon, there is no way to explain this. None. There is absolutely no way to explain this other than agriculture is just not a priority. I mean, despite our best efforts and our working together to get something done, it certainly has not been a priority in the House with the Republican leadership. It has been on the committee. I have thoroughly enjoyed working with my counterpart in the House. We have worked together on a bipartisan basis. But we could not even get a bill taken up in the House.

I do appreciate the fact that when they did not act in the House, that they have agreed to do the extension that we put together. At least that is what they were willing to do. I honestly never thought the problem would be here in the Senate because we had passed a farm bill. We passed a farm bill. We passed a farm bill with disaster assistance, with $24 billion in deficit reduction, in a strong bipartisan way, with supportive words in terms of the process from the leaders.

I am so shocked to see that the problem now is here in the Senate with the Republican leader. There is just no excuse for this.

Mr. MERKLEY. The Senator from Michigan has worked over the past year to find a bipartisan strategy to reform elements of the farm bill that we were spending too much money on in certain places and to reform those overly generous subsidies, if you will, and make them kind of fit the circumstances. The Senator saved a lot of money in the process. Am I to understand that the Republican leader has taken those reforms, designed to wisely spend the taxpayers' money in the right places, and has thrown them out the window?

Ms. STABENOW. In this extension that he has proposed, the subsidies, called direct payments, that we have all agreed should not be given during high prices and good times to farmers, extend with absolutely no reductions. They are fully extended for the next 9 months, and who knows how much longer. I am sure the folks who want to have them are going to try to just keep blocking farm bills and doing extensions as long as they can in order to get the money—$5 billion a year—$5 billion a year that we have agreed in taxpayer money should not be spent.

Now, I also want to say, it is not that we do not need to support agriculture. I know my friend agrees with that. Whether it is disaster assistance, whether it is crop insurance, we need to give them risk management tools, conservation tools. We need to make sure we have strong crop insurance. We need to make sure that there is disaster assistance there. But in good times you should not be able to get a government check when prices are high, which is what some in agriculture have been doing and getting and it is wrong, and it is fully continued in what the Republican leader has proposed.

Mr. MERKLEY. I would say to my colleague, I have sat on this floor and listened to lectures of fiscal responsibility and the need to move things and work things in committee before they come to the floor. Now, the work that the Senator did was the best of those two qualities: Everything being done in committee, being in open conversation, dialogue, working on it, bringing it to the floor, having a debate on the floor in front of the American people, in front of our colleagues, complete openness and a complete sense of fiscal responsibility. So are those lectures that I have been hearing about fiscal responsibility and committee process, are they just lectures but no real belief in them?

Ms. STABENOW. If I can say to my colleague, I certainly cannot indicate what the intent is of another colleague. But I will tell you that my mom always said: Actions speak louder than words. So I can tell you that the actions here, the actions that have been occurring, go in the opposite direction, both of supporting farmers and ranchers in a comprehensive way by fully extending the farm bill for the next 9 months and by allowing the complete, 100 percent extension of subsidies that we voted to eliminate.

I can tell you, that does not make any sense to me. It certainly goes against what I have heard over and over on the floor, and I also find it just amazing to me that when we—by passing the farm bill, if the farm bill were included in this agreement, we would have $24 billion more in deficit reduction to be able to report to the American people.

They are saying no. I do not understand that.

Mr. MERKLEY. There is one more piece of this I want to clarify because I am not sure where the minority leader's version came out on this; that is, our organic farmers have gotten a very unfair deal, and that deal was that they were going to be charged extra for their insurance. In exchange they were supposed to get the organic price of a particular crop. We fixed that on the floor of the Senate. We addressed that. We said, no, the Department of Agriculture that was supposed to get the studies done to get the organic prices in place so that the upfront price had the back side as well, we gave them a confined number of years to get that done, to rectify that injustice. Is that now missing from the proposal from the Republican leader?

Ms. STABENOW. Yes. In fact, the organic provisions are not funded, are not extended. So, again, when we look at the future of agricultural choices for consumers, this is not extended.

Mr. MERKLEY. How can one possibly justify charging organic farmers more because they are going to get a higher insurance compensation, but then say they will not get a higher insurance compensation? We are going to take that away?

So it operates as a structural effort to basically take money away from the organic community and give it to the nonorganic community—I mean, complete unfairness in a competitive marketplace. How can one possibly justify stripping that from this extension?

Ms. STABENOW. I would just say to my friend from Oregon that it makes no sense. This is certainly not about fairness. It is not about an open process. I mean, when the Senator mentioned earlier that we had worked in a very open and transparent process, we did. Throughout the committee, throughout the floor, even those who didn't support the farm bill indicated they supported the openness, the due process, the ability to provide amendments, to have them voted on up or down.

Now to take what was the consensus view of what things should look like and basically throw it out the window at the last minute makes me wonder what the motivation is here. What is really going on? All I can see is that in the end, what we have is a situation where the government subsidies we eliminated are extended 100 percent, and those who behind the scenes have been trying to continue to get the government money appear to have been successful, at least with the Republican leader.

Mr. MERKLEY. In closing my part of this colloquy, I want to thank the Senator for clarifying those three points—that the disaster relief is out, that the pork is in, and that the organic farmers are going to continue to get the short end of the stick. It seems to me that is three strikes and you are out. And I didn't even address many of the other points I heard the Senator raising.

The Senator's outrage about this is so deeply justified, and I am certain I

will be standing with her as we try to make sure that the good work done in committee and on the floor of the Senate for fiscal responsibility, for fairness to farmers, for fairness to those who have suffered disasters, for fairness to those who are in the organic or the inorganic world or nonorganic world—that these mistakes, these three strikes-plus, do not carry forth through this Chamber.

I thank the Senator for her leadership.

Ms. STABENOW. Again, I thank the Senator from Oregon for his leadership on disaster assistance, on support for the organic agriculture community, and for others that benefit from his leadership, forestry and other areas. The Senator from Oregon has been a very, very strong leader, and I thank him for his words and for his actions in standing and fighting for the people we are supposed to be fighting for. I mean, the farmers and ranchers across the country, like every other American right now, are shaking their heads: What is going on?

I know there is a lot of work going on to come up with a larger agreement, but for those of us who care about many things but want to make sure agriculture is not lost in this, I am deeply concerned. This is the second largest industry in Michigan. It is the largest industry for many places in the country. Yet I don't see agriculture being the priority it needs to be either on disaster assistance or help for those who have been hit so hard by drought or by an early warmth and then a freeze in the orchards. Where is the willingness to stand and support farmers and ranchers across the country?

Well, I used to be able to say and I have said up to this point: Well, the support was in the Senate, where we passed a bipartisan farm bill and we worked together very closely to do that. But tonight I find that rather than proceeding in a bipartisan way, which has been what we have done, rather than consulting with myself as chair in the Senate and Chairman LUCAS in the House, we see that a proposal which neither one of us has put forward or supported and which is adamantly opposed by many people is now being offered as the approach to extend part of the farm bill, picking and choosing arbitrarily what should be extended and not, not doing disaster assistance, and not being willing to shave off even 2.5 percent of these government subsidies in order to be able to fully fund an extension for the next 9 months—2.5 percent. Mr. President, 2.5 percent is directing us, is what we are talking about in order to be able to extend critical, important priorities for people across the country. This is for consumers, for farmers, for ranchers, for people in this Chamber. I can only assume, based on what I see, that this is the effort of the group that has been trying very hard to make sure that their subsidies continue and that they continue unabated 100 percent, and this is their opportunity.

When we are trying to do deficit reduction, which I find amazing this is in the context of a deficit reduction package—and I am still going to be looking to see where the deficit reduction is. But the deficit reduction package—it will not accept $24 billion in savings in agriculture. Now, instead, it puts in place policies that will take us in the exact opposite direction. It is very, very unfortunate.

I have been spending the day expressing grave concerns. I will continue to do that. There is absolutely no reason this can't be fixed before the proposal comes to this body. It absolutely can be fixed. People of good will in agriculture have worked together every step of the way, certainly in this Chamber. We can continue to do that if there is a desire to do it. I hope there is because there is a tremendous amount at stake.

Let me say again that 16 million people across our country pay their bills because of income they receive through agriculture or the food industry. Small farmers and large farmers want the certainty of a 5-year farm bill, and they also want to know we are working together with their interests in mind. I hope we can still see that happen.

Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 8:15 p.m., recessed subject to the call of the Chair and reassembled at 1:22 a.m. when called to order by the President pro tempore.

The PRESIDENT pro tempore. The Senator from Nevada.

EXTENSION OF MORNING BUSINESS

Mr. REID. I ask unanimous consent that the period of morning business for debate only be extended until 1:35 a.m. today, with Senator HARKIN being the person who will be speaking. When he finishes his speech, I ask that I then be recognized.

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

The Senator from Iowa.

THE FISCAL CLIFF

Mr. HARKIN. Mr. President, over the last few decades, the real middle-class families in America—and when I say ''real middle class'' I mean those who are making $40,000, $50,000, $70,000, not $400,000 a year—have seen their jobs become more insecure and their wages stagnate. In fact, their income adjusted for inflation is less now than it was in the late 1990s. Their savings and pensions have shrunk or disappeared.

The cost of education has soared at the same time as the wealthiest Americans and large corporations grow ever richer and pay less and less in taxes. For example, just take dividends. Prior to 2003, dividends were always taxed as ordinary income. Now they are taxed at a less rate than the capital gains rate. Income of hedge fund managers is taxed at a lower rate than middle-class families—the so-called carried interest rule.

The share of our Nation's wealth going to corporate profits has been rising as the share going to wages and salaries is declining. This has led bit by bit, Tax Code change by Tax Code change, pension cuts by pension cuts, job outsourcing by job outsourcing to an economy that is out of balance, that threatens the very fabric of our society. That is because the gap between the rich and the real middle class grows ever wider. That is because our economy is driven from the middle out and not from the top down.

Our economy is driven by middle-class families with good jobs and money in their pockets to spend. So our first goal must be to put Americans back to work and to get our economy moving, to rebuild the real middle class now.

The average American across our land tonight—today—probably thinks what we are about here is just that, to solve our country's most pressing problem—creating new jobs, laying the foundation for future economic growth and, thus, reducing our deficits in the long term. But instead we are here tied in knots to avert a manufactured fiscal cliff which could have been avoided 6 months ago by the House passing S. 3412 to avert the tax hikes on 98 percent of Americans.

As I have said repeatedly, I will evaluate any such fiscal cliff legislation on how these proposed policies affect working families and the real middle class—again, the real middle class being those making $30,000, $50,000, $60,000, $70,000 a year. So I am disappointed to say, in my opinion, this legislation we are about to vote on falls short.

First, it does not address the No. 1 priority: creating good middle-class jobs now. Unemployment remains way too high. This bill should include direct assistance on job creation makers; for example, our infrastructure, education, and job retraining. How many jobs we see out there going wanting because people aren't trained for those jobs; yet we don't have enough money to put into job retraining. The legislation before us neglects our most pressing concern at the present time, and that is

the lack of jobs and the lack of qualified people to fill those jobs.

Secondly, this proposal does not generate the revenue necessary for the country to meet its needs for everything from education to job training, infrastructure, and research and development. The idea that people earning $300,000 to $400,000 a year could not pay the taxes they paid in the 1990s when the economy was booming is just plain absurd. But that is what we are being told; that people who make $300,000 or $400,000 simply cannot pay the same taxes they would have been paying in the Clinton years.

Furthermore, these wealthiest Americans made a lot of money in the last decade. So what do we do? Now we are raising the estate tax exemption to $5 million. It was $1 million under the Clinton tax years. Now the few who are really wealthy, who made a lot of money, and who have accumulated this wealth, we now have raised the estate tax so they can pass it on without any of that gain ever being taxed because the heirs now get it with what they call a stepped-up basis. So none of that is taxed.

So what we see, then, are the few who are wealthy getting more and more wealthy. So wealth becomes even more concentrated under this system.

Now, some will say: What is the problem? You want to protect the middle class. They are in this bill. How can you object if some higher income individuals are protected as well? Well, I point out these are not unrelated matters. With government investments and government spending dropping, being squeezed every year by my conservative friends on the other side of the aisle, and with deficits remaining high, every dollar of sacrifice the wealthy forego is a sacrifice we will later be asking of real middle-class, modest-income Americans. Every dollar the top 2 percent of taxpayers do not pay under this deal, we will eventually ask folks of modest means to forego—to forego on Social Security or Medicare or Medicaid or Head Start benefits or other items that benefit the real middle class.

I believe it is gravely shortsighted to look at these issues in isolation from each other, especially since the Republicans have made crystal clear that they intend to seek mandatory spending cuts just 2 months from now using the debt limit as leverage.

No. 3. Why in this deal do we make the tax benefits for the rich permanent while the progressive tax benefits we put in place in 2009 to help people of modest means—why are those temporary? For example, the estate taxes that benefit the wealthiest are made permanent. The earned-income tax credit that affects the lower income, that is temporary. The income tax rates that are set now are going to be made permanent to benefit higher income individuals, but the child tax credit is made temporary. The AMT fix is made permanent, but the American opportunity tax credit for modest families to be able to afford to send their kids to college is made temporary.

In this deal we are about to vote on, logic is turned on its head. We provide permanent benefits to those who need it the least, and yet this deal sunsets the modest assistance to middle-class families—again, I repeat, middle class, real middle class; not $400,000-a-year middle class, I mean the real middle class.

I think it is quite telling that earlier this last evening, Grover Norquist said he is for this bill, but our former Secretary of Labor Bob Reich is opposed.

So maybe now I guess we are all believers in trickle-down economics. Not I. I guess we now redefine the middle class as those making $400,000 a year when, in fact, that represents the top 1 percent of income earners in America, not the middle class. So I guess that we now accept as normal practice in reaching bipartisan deals that the most vulnerable in our country, such as those who are out of work and who depend on unemployment benefits, can be held hostage as a bargaining tool for more tax breaks for the richest among us.

I am not saying that everything in this deal is bad. There are some good parts. But I repeat, I am concerned about this constant drift, bit by bit, deal by deal, toward more deficits, less job creation, more unfairness, less economic justice—a society where the gap grows wider between the few who have much and the many who have too little.

Mr. President, for these reasons, I must in conscience vote no on this bill.

The PRESIDENT pro tempore. The majority leader.

JOB PROTECTION AND RECESSION PREVENTION ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 8; that the substitute amendment, the text of which is at the desk, be agreed to; that there be 10 minutes of debate equally divided between the two leaders prior to a vote on passage of the bill, as amended; that there be no other amendments in order prior to the vote; that there be no points of order in order to the substitute amendment or the bill; finally, that the vote on passage be subject to a 60-vote affirmative vote threshold.

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

The Senate proceeded to consider the bill.

Mr. REID. Mr. President, very quickly, we have worked really hard this week. We Senators had to be here and are happy to be here, but there are four individuals who didn't have to work this week, but they volunteered to do so. These four pages have kept this place operating by helping floor staff and us. They could be home with their families and friends enjoying the holiday. Instead, they are here.

We have 18-year-old Jarrod Nagurka, of Arlington. He gave up his winter break to be here; Twenty-two-year-old Priscilla Pelli of Washington, DC, is a staff assistant in my office. She has devoted her time here. Twenty-two-year-old Erin Shields of Takoma Park, MD, is an intern in my office. And 16-year-old Gwendilyn Liu of Kaneohe, HI, the only remaining current page, skipped her winter vacation to help here. I want the record to reflect our deep appreciation for them, and I wish them the very best in their future endeavors.

Mr. President, working through the night and throughout today, we have reached an agreement with Senator MCCONNELL to avert tax increases on middle-class Americans.

I have said all along that our most important priority was to protect middle-class families. This legislation does that. Middle-class families will wake up today to the assurance that their taxes won't go up $2,200 each. They will have the certainty to plan how they will pay for groceries, rent, and car payments all during next year. The legislation also protects 2 million Americans who have lost their jobs during the great recession from losing their unemployment insurance.

I am disappointed that we weren't able to make the grand bargain that we tried to do for so long, but we tried. If we do nothing, the threat of a recession is very real. And passing this agreement does not mean the negotiations halt—far from it. We can all agree there is more work to be done. I thank everybody for their patience today—and they have had a lot of patience.

I also thank my friend the Republican leader, Senator MCCONNELL, for his hard work to reach this bipartisan agreement. It has been difficult and very hard. As we have said before, Senator MCCONNELL and I out here do a lot of talking to each other; we kind of go over everybody's head. But he and I know that when the talk is done out here, we work hard to try to help this country. So he is my friend, and I appreciate very, very much the work he has done.

For example, this bill cuts $4 billion in fiscal year 2013 and $8 billion in fiscal year 2014. These are real cuts that are in this bill.

I hope the new year will bring a new willingness on the part of the House Republicans to join Democrats in the difficult but rewarding work of governing. The Speaker has said all along that he was waiting for the Senate to act. The Senate soon will act. Now, I hope for America that the Speaker will allow the full House of Representatives to vote on this bipartisan legislation.

The PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, I wish to thank my good friend the majority leader for his kind words and thank everyone for their patience and their counsel throughout this process.

I also thank the Vice President for recognizing the importance of preventing this tax hike on the American

people and stepping up to play a crucial role in getting us there. It shouldn't have taken us this long to come to an agreement and this shouldn't be the model for how we do things around here, but I appreciate the Vice President's willingness to get this done for the country.

I know I can speak for my entire conference when I say we don't think taxes should be going up on anyone, but we all knew that if we did nothing, they would be going up on everyone today. We weren't going to let that happen. Each of us could spend the rest of the week discussing what a perfect solution would have looked like, but the end result would have been the largest tax increase in American history.

The President wanted tax increases, but thanks to this imperfect agreement, 99 percent of my constituents will not be hit by those hikes. So it took an imperfect solution to prevent our constituents from very real financial pain. But, in my view, it was worth the effort.

As I said, this shouldn't be the model for how we do things around here, but I think we can say we have done some good for the country. We have done some good for this country. We have taken care of the revenue side of this debate, and now it is time to get serious about reducing Washington's out-of-control spending. That is a debate the American people want. It is the debate we will have next, and it is the debate Republicans are ready for.

Mr. REED. Mr. President, I want to address the bill before us tonight. Despite the best efforts of Senate Democrats to strike a balanced and fair compromise—to avert tax hikes on Americans making less than a quarter of a million dollars, to avert the expiration of unemployment insurance, to avert the damaging automatic spending reductions—we instead have before us a package that is at best a half-measure. This is not how we should govern.

However, the bill before us is better than the alternative facing millions of Americans. If we do not act, taxes for the middle-class will rise tomorrow, support for unemployed workers will lapse, Rhode Islanders will be hurt, and our economic recovery could suffer another Republican induced economic setback.

Unless this bill is signed into law, starting January first, taxes rise on every American and hundreds of thousands middle-income Rhode Island families will see their taxes increase by an estimated $2,200 in 2013. Rhode Islanders numbering 37,000 would lose a tuition tax credit to help them pay for college and 103,000 Rhode Island families raising children would see an average tax increase of $1,000 because they would no longer qualify for the Child Tax Credit. The economy is tough enough for most Rhode Islanders, and they shouldn't be asked to absorb a hit like that due to the stubbornness of the other side of the aisle.

This bill will also continue unemployment insurance for 2.1 million Americans and almost 9,000 Rhode Islanders. Without a continuation of unemployment insurance, millions of Americans actively seeking work will suffer a debilitating economic blow. People will lose their homes and be unable to put food on the table, as they lose one of the few lifelines they and their families have as they look for work in a tough economy. Neighborhood businesses would have taken a hit as well. An estimated $48 billion in economic activity will be sapped from our recovery and one of our most effective counter-cyclical economic policies would have been lost.

It is a sad truth, but the middle-class tax cuts and unemployment insurance were being held hostage by my Republican colleagues in order to secure even more generous tax cuts for the wealthy. So at least with the permanent extension of tax cuts for the middle-class and a one-year continuation of unemployment, that immediate threat is gone.

However, it is outrageous that this threat has been taken this far and that my Republican colleagues continue to demand a perpetuation of an unfair tax code that is tilted towards the wealthiest.

So I remain committed to reforming the tax system so it is fair for all Americans. I remain committed to ending egregious loopholes that result in absurd and unfair results, like a private equity partner paying a lower tax rate than a janitor.

I do want to stress that, despite Republican demands for big cuts in the social safety net, this bill protects Social Security, Medicare, and Medicaid beneficiaries. Such beneficiary cuts would have made this package even more unbalanced and unfair. Unfortunately, it appears that Republicans are already planning to hold the debt ceiling hostage in order to cut Social Security, Medicare, and Medicaid. Today they will insist on additional tax breaks for the wealthiest Americans, especially estate tax cuts, but then demand that we cut Social Security, Medicare, and Medicaid to cover these and other debts. I will work to prevent such callous efforts.

I am deeply disappointed by the package before us today. I believe the White House should have stood firm on reducing the deficit by nearly $1 trillion and let income tax rates for those making over a quarter of a million dollars revert to Clinton-era levels. I am disappointed with Republican intransigence and the prospect of once again being on the brink of a manufactured economic catastrophe in order to secure tax preferences for millionaires and billionaires and attempting to pay for them by cutting Social Security or programs that benefit middle-income Americans.

In the coming weeks, I hope Republicans will drop their attempts to cut the deficit on the backs of the middle-class and seniors, and instead work with us to craft a fair and balanced compromise that strengthens, not endangers, our economic recovery.

Mr. President, I yield the floor.

THE PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the vote will start immediately, and people should get here as quickly as they can.

The PRESIDENT pro tempore. Under the previous order, amendment No. 3448 is agreed to.

The text of the amendment is printed in today's RECORD under (''Text of amendments.'')

The PRESIDENT pro tempore. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT) and the Senator from Illinois (Mr. KIRK).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 8, as follows:

[Rollcall Vote No. 251 Leg.]

YEAS—89

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Ayotte	Graham	Nelson (NE)
Barrasso	Hagan	Nelson (FL)
Baucus	Hatch	Portman
Begich	Heller	Pryor
Bingaman	Hoeven	Reed
Blumenthal	Hutchison	Reid
Blunt	Inhofe	Risch
Boozman	Isakson	Roberts
Boxer	Johanns	Rockefeller
Brown (MA)	Johnson (SD)	Sanders
Brown (OH)	Johnson (WI)	Schatz
Burr	Kerry	Schumer
Cantwell	Klobuchar	Sessions
Cardin	Kohl	Shaheen
Casey	Kyl	Snowe
Chambliss	Landrieu	Stabenow
Coats	Leahy	Tester
Coburn	Levin	Thune
Cochran	Lieberman	Toomey
Collins	Lugar	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCain	Vitter
Corker	McCaskill	Warner
Cornyn	McConnell	Webb
Crapo	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Mikulski	Wyden
Feinstein	Moran	

NAYS—8

Bennet	Harkin	Rubio
Carper	Lee	Shelby
Grassley	Paul	

NOT VOTING—3

DeMint	Kirk	Lautenberg

The PRESIDENT pro tempore. A 60-vote threshold having been achieved, the bill, as amended, is passed.

The PRESIDING OFFICER (Mr. MANCHIN). The majority leader.

Mr. REID. Mr. President, we don't expect any more votes today, no more votes today. We want to wait and see what the House does on Sandy, and I think whatever we do on Sandy will have to be done by unanimous consent anyway, so I wouldn't expect any votes until we come back here and reconvene on January 3, the day after tomorrow.

Mr. PRYOR. 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. PRYOR. Mr. President, I ask unanimous consent that the title amendment with respect to H.R. 8, which is at the desk, be agreed to.

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

The amendment (No. 3450) was agreed to, as follows:

Amended the title so as to read:

An Act entitled the ''American Taxpayer Relief Act of 2012''.

MORNING BUSINESS

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

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

REMEMBERING DAVE BRUBECK

Mrs BOXER. Mr. President, I ask my colleagues to join me in honoring Dave Brubeck, the iconic jazz musician and composer who defined and popularized modern jazz during a pioneering career that spanned seven decades. Mr. Brubeck passed away on December 5, a day before his 92nd birthday, in Wilton, CT.

Dave Brubeck was born in Concord, California, on December 6, 1920. When he was 11, Dave's family moved to the town of Ione in the rolling Sierra foothills of Amador County, where his father, Pete, managed a cattle ranch, and his mother, Elizabeth, a classically-trained pianist, taught Dave and his two brothers how to play various musical instruments. Although his poor eyesight kept him from reading music, this determined young musician learned mostly by listening, and his abundant musical talents made him a popular feature at local events by the time he was a teenager.

At the College of the Pacific, Dave initially studied veterinary medicine before switching to music after one year. It was there that he met Iola Whitlock, a schoolmate who became his wife in 1942. Almost immediately upon graduation, he was drafted into the Army, where his standout performance as part of a travelling Red Cross show prompted a commanding officer to assign him to form a band to play for the troops in combat areas. He recruited black and white musicians to play together in his 18-piece band, the Wolfpack Band.

After the war, Dave returned home to study music on a GI bill scholarship at Mills College under the tutelage of French composer Darius Milhaud. During this period, he met the musicians who would later form the Dave Brubeck Quartet. With Mr. Brubeck at the helm, the quartet's unique and groundbreaking style earned wide acclaim and a legion of fans from across the country, and eventually from around the world. In 1954, in recognition of his fame and prodigious talents, he was featured on the cover of Time Magazine. In 1959, the quartet's recording of ''Take Five'' became the first jazz single to sell a million copies. Over the years, he would produce other iconic jazz hits such as ''Time Out'' and ''It's a Raggy Waltz,'' record more than a hundred albums, and even write two ballets.

A man of strong convictions, Mr. Brubeck used his musical gifts and celebrity to stand up for principles and causes in which he believed. In 1958, at the invitation of the U.S. State Department, he led the quartet on a good will tour that introduced jazz music to countries and audiences behind the Iron Curtain and in the Middle East. That same year, he refused to tour in South Africa when promoters insisted that his band be all white.

Mr. Brubeck performed for eight presidents and composed the entrance music for Pope John Paul II's 1987 visit to Candlestick Park in San Francisco. He was named a Jazz Master by the National Endowment for the Arts and received a Kennedy Center Honor for his contribution to American culture. His alma mater, now known as the University of the Pacific, established the Brubeck Institute to further his lifelong work and goal to use the power of music to ''transform lives as well as to enlighten and entertain.''

On behalf of the people of his home state of California, I extend my deepest sympathies to Dave Brubeck's wife of 70 years, Iola; sons Darius, Chris, Dan and Matthew; daughter Catherine Yaghsizian; 10 grandchildren; and four great-grandchildren. Dave Brubeck was an American treasure, and he will be dearly missed.

ADDITIONAL STATEMENTS

CELEBRATING THE 75TH ANNIVERSARY OF THE HAWAIIAN ROOM

• Mr. AKAKA. Mr. President, I rise today to recognize and celebrate the 75th anniversary of the opening of a historic and famously popular Manhattan attraction—the Hawaiian Room at the Hotel Lexington in New York City. Throughout its 30 years of quality cultural performances, its authentic and captivating shows were widely praised for giving audiences not only an exotic, entertaining experience, but also a raved off-Broadway production, not to be missed.

In the 1930s, the newly built Hotel Lexington at 48th and Lexington in New York City was an impressive hotel and with prestige and grandeur. At the cost of $5 million to build in 1929, the iconic hotel became an instant favorite for global leaders, celebrities, business executives, and some of America's most famous sports icons including Joe DiMaggio, who famously lived in a penthouse suite during his whole career playing for the Yankees.

The manager was Charles Rochester, and in the late 1930s, he decided to open a Hawaiian-themed room in a large unused area of the hotel to try and attract new uppercrust business to his establishment to help with ''the bottom line.'' At the time, Hawaiian and Polynesian cultures were growing in popularity and interest across the country. However, the creation of the Hawaiian Room was still a bold move not only because of the Great Depression, but also an increasingly complicated global scene as world conflicts were escalating in both Asia and Europe. Nevertheless, on June 23, 1937, the Hawaiian Room opened its doors for the first time.

The Hawaiian Room found success for an unprecedented 30 years straight in its presentation of Hawaiian culture and aloha, with the unique music and indigenous hula as its foundation. The room became a gathering place for many with Hawaii ties to share the knowledge and influence of the Hawaiian culture throughout the East Coast and the world. The venue became ''the place to be'' for celebrities in New York City, and it was the people who worked in the Hawaiian Room who made it such a success. Because of their talents, island ways, and authentic aloha many were able to enjoy a piece of Hawaii, even if they were on another ''island'' 5,000 miles away.

Recently, I was fortunate to meet with some of the gracious ladies who performed at the Hawaiian Room so many years ago. Their stories and spirit of aloha embody the qualities that made the Hawaiian Room so great for so many years.

I would like to commend TeMoana Makolo, Hula Preservation Society, and the dozens of Hawaiian Room members who worked in the room during its 1937–1966 run for their partnership and efforts in creating the Hawaii Room Archive to perpetuate this great piece of Hawaii's history. The oldest living former Hawaiian Room member is Tutasi Wilson at 98 years old, who was a featured dancer at the Hawaiian Room in the 1940s and 1950s.

Living members include Leonani Akau, Pua Amoy, Leilehua Becker, Iwalani Carino, Martha Carrell, Loma Duke, Wailani Gomes, Mamo Gomez, Mealii Horio, Mona Joy, Leialoha Kaleikini, Leialoha Kane, Manu Kanemura, Ed Kenney, Nona Kramer, Nani Krisel, TeMoana Makolo, Tautaise Manicas, Torea Ortiz, Olan Peltier, Vicky Racimo, Io Ramirez, Alii Noa Silva, Kaui Virgeniza, Tutasi

Wilson, and Janet Yokooji. Each has personally contributed to development of the first Hawaiian Room Archive by contributing their stories and personal photos to this new educational resource.

Many other esteemed Hawaiian Room members have passed on, including Alfred Apaka, Aggie Auld, Keola Beamer, Mapuana Bishaw, Eddie Bush, Johnny Coco, Leilani DaSilva, Ehulani Enoka, Leila Guerrero, Ululani Holt, Meymo Holt, Keokeokalae Hughes, Clara Inter ''Hilo Hattie,'' Andy Iona, Alvin Isaacs, Momi Kai, George Kainapau, Sonny Kalolo, David Kaonohi, Nani Kaonohi, Ray Kinney, Kui Lee, Sam & Betty Makia, Lani & Alfred McIntire, Pualani Mossman, Tootsie Notley, Lehua Paulson, Telana Peltier, Luana Poepoe, Dennie Regor, and Jennie Napua Woodd. All were legendary talents in their own right, and also contributed to making the Hawaiian Room the success it was.

Although the Hawaiian Room was in New York, it played an ever important role in the spread of Hawaiian culture across the continental United States, as well as the development of Hawaii's major industry—tourism. The nightly exposure of business executives, celebrities, and New York's working men and women to the Hawaiian songs, sceneries, and hula at Lexington Hotel was sure to have put dreams of a Hawaii vacation in the minds of more than a few over the years.●

GRANDMASTER HONG LIU

● Mr. AKAKA. Mr. President, as I reflect back on my 36 years of service in Congress and the Senate, I realize how fortunate I was to be mostly healthy. As we age, we pay more attention to our health. The challenge is how to maintain good health.

It was after I was struck in the shin by a stray golf ball on a Virginia course that I met a Chinese Grandmaster who introduced me to an ancient Chinese methodology for maintaining good health. This methodology was developed and tested over thousands of years—it was the ancient practice of natural healing using Qi Gong.

Grandmaster Hong Liu was born in Shanghai, China. His Mother was the director of medical care and hospitals in Shanghai. As a result of being raised in a health-oriented environment, he enrolled in the Military Medical College to become a doctor of Western medicine.

His home was always filled with visitors from the health industry, doctors, and even healers who practiced Traditional Chinese Medicine or TCM as it is popularly known today. Whenever the Qi Gong masters visited his Mother, crowds of sick people would gather seeking treatment. He would watch intently as these people were treated by those masters.

Grandmaster Hong became interested in one of the healers who lived outside of Canton high up on a mountain in a cave, Master Kwan. During the time of the Cultural Revolution, Chairman Mao's wife banned all ancient medical traditions—healers escaped imprisonment by living in remote caves in high mountains outside the cities. This interest in ancient Traditional Chinese Medicine conflicted with his role as an army officer practicing in a military hospital. All doctors were scheduled for duty in the hospitals and were expected to perform routine duties. His days were scheduled with long hours of patient care leaving very little spare time. Medical doctors who did not perform their duties and who did not work diligently were reprimanded and sometimes demoted. For 8 years, he spent all of his spare time studying Qi Gong and traditional Chinese medicine under Master Kwan. This meant taking the train to Canton and then traveling many miles outside the City to a mountain called Golden Cock to get to Master Kwan's cave. Grandmaster Hong or Master Hong became an apprentice of Master Kwan and then became a Qi Gong Master in 1979. Grandmaster Hong came to the United States in 1990 and has practiced Traditional Chinese Medicine.

Getting back to that golfing incident, I did not worry much about the golf injury after icing it because it seemed to have healed. It was not until a week later when I flew back to Hawaii and was at my physician's office for a regular checkup that it was discovered the inside of the wound had not healed and was infected. My physician prescribed treatment for the infection, but a family friend asked if I would consider additional treatment in complement with my physician's medical care. This was my introduction to natural healing and to Grandmaster Hong Liu, we call him Master Hong, who is a Grandmaster of Natural Healing, which includes Feng Shui, herbs, exercise, martial arts and nutrition. This introduction was the start of a remarkable journey for me into the world of natural healing using proper breathing, movement through exercise, and nutrition to nourish and heal.

This natural healing method seemed too simple, but what I learned over time was that illness occurs when the natural flow or circulation of the energy canals or pathways in our body are blocked, but this can be remedied again with proper breathing, exercise, and eating nutritionally. Injuries to the body are remedied in the same manner with the addition of herbs. The Qi of Qi Gong is that natural energy that runs through those canals in our body like blood flows through veins. That energy is what keeps us living, and if that Qi is circulating property or flowing freely, then we are healthy. The simple ''science'' of Natural Healing is viewed as an approach to remove the blockages that occur when the energy does not flow freely and balance the internal organ energy. The ultimate goal in Traditional Chinese Medicine is balance—the body should be balanced naturally—seems simple.

Master Hong has not only been good to me—he is good to the people of Hawaii. He has held free seminars and events. His foundation holds free, weekly senior programs because he recognized the demographics of the aging population, its rapid growth globally, and the issues with affordable healthcare. He developed and offers a weekly self-healing program for seniors that includes exercises and nutritional information for them to get healthy and stay healthy. For the past 9 years, he's given immunity events to the community. People attend these events to get free patches to help boost their immunity systems. The immunity events are held on the hottest and the coldest days of the year because those are the most potent days for the effectiveness of those patches. The events originally started out as asthma events since Hawaii has had 30 years of volcanic activity which affected the respiratory systems of many Islanders. Those asthma events evolved into the bigger bottom line picture or the source of the problem which is the immunity system.

Master Hong is the founder of the Natural Healing Research Foundation in Hawaii. The foundation is his basis for advancing remedies for the major diseases affecting humanity by promoting the time honored natural healing practices of Eastern medicine in complement with Western medicine to attain that goal. The marvel of the remedies of natural healing is that it offers simple yet effective healing programs that work with conventional practices and have no side effects. The foundation reaches out to the community providing information and training in disease prevention and offering proactive solutions to maintain optimal health.

Master Hong was proclaimed a ''Living Treasure'' not only in his homeland of China but also in the State of Hawaii because of his research of various diseases, cancer, drug addictions, diabetes, obesity, and heart disease to name a few, and his devotion to teaching preventive health care. He has also authored ''The Healing Art of Qi Gong'' by Warner Books.

The basic simpleness of all of this knowledge is that this energy is all around us, but you need to work at keeping the movement of this energy moving or circulating in order to be healthy and balanced. I learned that foods of a certain color were specific to different organs. Foods white in color, mushrooms, ginger, garlic are for the lungs and skin, while foods that are black in color, black beans, black sesame, seaweed, are for the kidneys.

There is so much that I have learned from Grandmaster Hong Liu, and there is more learning to be done when I get back to Hawaii. What I do know is that the Traditional Chinese Healing methods he used in complement with my regular physician improved my health.

I will continue to learn from this Grandmaster, and I continue to be

grateful for my health and wellbeing. It has been about 8 years of learning and exercising and eating right for me, but in that time I have seen an industry boom in natural health care and products—what a coincidence. All of this makes me more aware of how fortunate and timely my meeting Grandmaster Hong Liu was to promote the balance and wellbeing in my life. Thank you, Grandmaster Hong for what you have done not only for me but for the people of Hawaii.●

CONCORDIA UNIVERSITY WOMEN'S VOLLEYBALL CHAMPIONS

● Ms. KLOBUCHAR. Mr. President, today I wish to recognize and congratulate the women's volleyball team of Concordia University in St. Paul, MN, for winning their sixth consecutive NCAA Division II championship. On December 8, 2012, the Golden Bears bounced back from a two-set deficit to defeat the University of Tampa and secure the national title.

The team has an incredible record of success, winning the national championship every year since 2007—a title streak that matches the NCAA record in all divisions. They have clinched 36 NCAA tournament matches in a row, and have won 44 out of 48 matches in 10 tournament appearances. Brady Starkey, who has coached the team for a decade, has led the team to victories in six out of seven tournament matches.

I would especially like to recognize the team's All-Americans—Ellie Duffy, Cassie Haag, Kayla Koenecke, and Amanda Konetchy, all four of whom were named to the all-tournament team. Ellie Duffy was also selected to the Academic All-American Division II Volleyball team.

The women of Concordia University's volleyball team are part of Minnesota's long tradition of excellence in college athletics and they make our State proud. I want to commend the team on their hard work and outstanding achievements this season and wish them success in many seasons to come.●

MESSAGES FROM THE HOUSE

At 12:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3202. An act to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3159. An act to direct the President to establish guidelines for United States foreign development assistance, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 4057) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes, without amendment.

At 1:54 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3666. An act to amend the Animal Welfare Act to modify the definition of ''exhibitor''.

ENROLLED BILLS SIGNED

At 5:53 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3202. An act to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes.

S. 3666. An act to amend the Animal Welfare Act to modify the definition of ''exhibitor''.

H.R. 3263. An act to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes.

H.R. 3641. An act to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes.

H.R. 4057. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes.

H.R. 4073. An act to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875.

H.R. 6014. An act to authorize the Attorney General to award grants for States to implement DNA arrestee collection processes.

H.R. 6620. An act to amend title 18, United States Code, to eliminate certain limitations on the length of Secret Service Protection for former Presidents and for the children of former Presidents.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, December 31, 2012, she had presented to the President of the United States the following enrolled bill and joint resolution:

S. 925. An act to designate Mt. Andrea Lawrence.

S.J. Res. 49. Joint resolution providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

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–8746. A communication from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule Regarding Principal Trades with Certain Advisory Clients'' (RIN3235–AL28) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8747. 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 Exclusive Economic Zone Off Alaska; Other Flatfish, Other Rockfish, Pacific Ocean Perch, Sculpin, and Squid in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC377) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8748. A communication from the 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; Reopening of the Commercial Harvest of Red Snapper and Gray Triggerfish in the South Atlantic'' (RIN0648–XC367) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8749. 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; Quota Transfer'' (RIN0648–XC373) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8750. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Extension of Emergency Fishery Closure Due to the Presence of the Toxin That Causes Paralytic Shellfish Poisoning (PSP)'' (RIN0648–BB59) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8751. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Transferability of Black Sea Bass Pot Endorsements'' (RIN0648–BC30) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8752. 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; 2012 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper'' (RIN0648–XC380) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8753. 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 Caribbean, Gulf of Mexico, and South Atlantic; 2012 Commercial Accountability Measure and Closure for South Atlantic Blue Runner'' (RIN0648–XC310) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8754. 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 Surfclam and Ocean Quahog Fisheries; 2013 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit'' (RIN0648–XC353) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8755. 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; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XC340) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8756. 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; Northeast Multispecies Fishery; White Hake Trimester Total Allowable Catch Area Closure for the Common Pool Fishery'' (RIN0648–XC369) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8757. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's competitive sourcing efforts for fiscal year 2012; to the Committee on Commerce, Science, and Transportation.

EC–8758. 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 ''Use of Controlled Corporations to Avoid the Application of Section 304'' (RIN1545–BI13) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Finance.

EC–8759. 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 ''Payout Requirements for Type III Supporting Organizations That Are Not Functionally Integrated'' (RIN1545–BG31) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Finance.

EC–8760. 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 ''Partner's Distributive Share'' (RIN1545–BJ37) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Finance.

EC–8761. 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 12–167); to the Committee on Foreign Relations.

EC–8762. 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 12–154); to the Committee on Foreign Relations.

EC–8763. 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 12–168); to the Committee on Foreign Relations.

EC–8764. 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 12–143); to the Committee on Foreign Relations.

EC–8765. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Control of Communicable Diseases: Foreign; Scope of Definitions (42 CFR Part 71)'' (RIN0920–AA12) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8766. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Control of Communicable Diseases: Foreign; Scope of Definitions (42 CFR Part 70)'' (RIN0920–AA22) received in the Office of the President of the Senate on December 28, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8767. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–8768. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC–8769. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, the Board's Report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated December 24, 2012); to the Committee on Armed Services.

EC–8770. A communication from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Home Mortgage Disclosure (Regulation C): Adjustment to Asset-Size Exemption Threshold'' (Docket No. CFPB–2012–0049) received in the Office of the President of the Senate on December 31, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8771. 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 December 31, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8772. 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 ''Qualified Plug-in Electric Drive Motor Vehicle Credit; Update of Notice 2009–89'' (Notice 2012–54) received in the Office of the President of the Senate on December 31, 2012; to the Committee on Finance.

EC–8773. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''National Coverage Determinations for Fiscal Year 2011''; to the Committee on Finance.

EC–8774. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department of Health and Human Services' report to Congress on activities of the Center for Medicare and Medicaid Innovation; to the Committee on Finance.

EC–8775. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Chemical Weapons Convention and the Australia Group; to the Committee on Foreign Relations.

EC–8776. 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 12–035); to the Committee on Foreign Relations.

EC–8777. 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 12–171); to the Committee on Foreign Relations.

EC–8778. 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 12–064); to the Committee on Foreign Relations.

EC–8779. A communication from the Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Removal of Job Training Partnership Act Implementing Regulations'' (RIN1205–AB68) received in the Office of the President of the Senate on December 31, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8780. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on National HIV Testing Goals; to the Committee on Health, Education, Labor, and Pensions.

EC–8781. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mr. BLUNT, Mr. INHOFE, Mr. DURBIN, Mrs. MCCASKILL, Ms. CANTWELL, Mr. WARNER, Ms. KLOBUCHAR, Mr. GRASSLEY, Ms. MIKULSKI, Mr. LUGAR, Mr. LAUTENBERG, and Mr. MENENDEZ):

S. Res. 628. A resolution expressing the deep disappointment of the Senate in the enactment by the Russian Government of a law

ending inter-country adoptions of Russian children by United States citizens and urging the Russia Government to reconsider the law and prioritize the processing of inter-country adoptions involving parentless Russian children who were already matched with United States families before the enactment of the law; considered and agreed to.

By Mr. REID (for himself and Mr. PRYOR):

S. Res. 629. A resolution to authorize the production of records by the Committee on Armed Services; considered and agreed to.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 628—EXPRESSING THE DEEP DISAPPOINTMENT OF THE SENATE IN THE ENACTMENT BY THE RUSSIAN GOVERNMENT OF A LAW ENDING INTER-COUNTRY ADOPTIONS OF RUSSIAN CHILDREN BY UNITED STATES CITIZENS AND URGING THE RUSSIA GOVERNMENT TO RECONSIDER THE LAW AND PRIORITIZE THE PROCESSING OF INTER-COUNTRY ADOPTIONS INVOLVING PARENTLESS RUSSIAN CHILDREN WHO WERE ALREADY MATCHED WITH UNITED STATES FAMILIES BEFORE THE ENACTMENT OF THE LAW

Ms. LANDRIEU (for herself, Mr. BLUNT, Mr. INHOFE, Mr. DURBIN, Mrs. MCCASKILL, Ms. CANTWELL, Mr. WARNER, Ms. KLOBUCHAR, Mr. GRASSLEY, Ms. MIKULSKI, Mr. LUGAR, Mr. LAUTENBERG, and Mr. MENENDEZ) submitted the following resolution; which was submitted and read:

S. RES. 628

Whereas United Nations Children's Fund (UNICEF) estimates that there are 740,000 children in Russia living without parental care;

Whereas the Ministry of Science and Education of Russia estimates that 110,000 children live in state institutions in Russia;

Whereas the number of adoptions by Russian families is modest, with only 7,400 domestic adoptions in 2011 compared with 3,400 adoptions of Russian children by families abroad;

Whereas on December 28, 2012, Russian Federation President Vladimir Putin signed into law legislation entitled ''On Measures Concerning the Implementation of Government Policy on Orphaned Children and those without Parental Care'', which includes language that permanently bans adoptions of Russian children by United States citizens;

Whereas a spokesman for President Putin, Dmitry Peskov, announced that the law is to take effect on January 1, 2013, thereby abrogating the bilateral agreement between Russia and the United States that entered into force on November 1, 2012, and requires both countries to provide one year notice of intent to terminate the agreement;

Whereas 46, and possibly more, inter-country adoptions of Russian children by United States families have already received a final adoption decree from the Russia judicial system, and hundreds of other United States families are in the process of adopting Russian children;

Whereas United Nations Children's Fund released a statement urging the Russia Government to ensure that ''the current plight of the many Russian children in institutions receives priority attention'' and that the Russia Government consider alternatives to institutionalization including ''domestic adoption and inter-country adoption'';

Whereas the United Nations, the Hague Conference on Private International Law, and other international organizations have recognized a child's right to a family as a basic human right worthy of protection;

Whereas the Christian Alliance for Orphans reports that United States families have opened their homes to more than 179,000 orphans from overseas in the last 20 years;

Whereas after China and Ethiopia, Russia is the third most popular country for United States citizens who adopt internationally;

Whereas adoption, both domestic and international, is an important child protection tool and an integral part of child welfare best practices around the world, along with prevention of abandonment and family reunification: and

Whereas more than 60,000 Russia-born children have found safe, permanent, and loving homes with United States families over the last two decades: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that all children deserve a permanent, protective family;

(2) values the long tradition of the United States and Russia Governments working together to find permanent homes for unparented children;

(3) disapproves of the Russia law ending inter-country adoptions of Russian children by United States citizens because it primarily harms vulnerable and voiceless children; and

(4) strongly urges the Russia Government to reconsider the law on humanitarian grounds, in consideration of the well-being of parentless Russian children awaiting a loving and permanent family, and prioritize the processing of inter-country adoptions of Russian children by United States citizens that were initiated before the enactment of the law.

Mr. BLUNT. Mr. President, I come to the floor today to join my colleague, Senator LANDRIEU from Louisiana, to talk about Russian adoptions and the decision by the Russian Duma and the President, President Putin, to sign a law that includes a provision that bans adoption of Russian children by American families. This ban is going into effect tomorrow—tomorrow. This is a ban which would go into effect tomorrow with four dozen American families in the process of bringing a child home from Russia.

My wife Abby and I adopted our son Charlie from Russia a number of years ago now. After visits to Russia and as we were leaving the courthouse the day the court procedures were accomplished, we were in the car with people who had helped us with that adoption who represented an organization here in the United States—in this case, the Gladney organization in Texas—and they got a call that four of their fellow organizations had just been decertified in Russia. They were decertified for some technical reason with their papers. All of the adoptions they had done were reviewed, and at least one error was found in one paper somewhere. Over the course of the next 12 months, as every single agency came up for review—and this was about 6 years ago now—every one of them had a problem that wound up with their being disqualified.

At the end of that year, there wasn't a single American organization that could be helpful to an American family with a Russian adoption because that was the policy the government decided at that time. They were going to somehow penalize American families who wanted to adopt Russian kids in ways that made that virtually impossible.

At that time, there were families who had met a child, who had bonded with that child, who had taken pictures home, who had talked to doctors in Russia and the United States, and who had done everything a family needed to do, and who had even gotten ready to go to court. I think at that point, if you had gone to court, you probably took your child home with you, but that is not the case right now. But they all were caught in a situation where in some cases it was 2 or 3 more years before that adoption was allowed to be completed, if it was ever allowed to be completed.

Now the Russian Government has decided once again to use Russian kids in orphanages as political pawns to help create some international dispute with the United States. This is not behavior that is worthy of the credit that, frankly, we just gave the Russians whenever we entered into a trade agreement that said: We want to accept you further into the relationships we have.

By the way, I have talked to parents in the last few days who have adopted children from Russia. These are parents who, like every one of us in this room right now on the floor of the Senate, grew up at a time when the Soviet Union was seen as a great adversary. But suddenly the bonding that occurred between our two countries because of this opportunity for Russian kids to become American kids made a big difference in the way Americans looked at Russians and the way Russians looked at Americans. But this is a difference that somehow the Russian Government wants to do away with as they take offense because we—appropriately, I think—put in the Russian trade agreement penalties for people who were involved in the imprisonment and death of Russian attorney Sergei Magnitsky in 2009. We were pretty specific about the narrow group to which this applied. And they are very specific about the 110,000 kids in orphanages in Russia today who cannot be adopted by American families because they have decided to use these kids as a political tool. It is the wrong thing to do.

Russia and the United States have had a tradition now that goes back to the end of the Cold War of working together to find permanent homes for children without parents in our country. As recently as November 1 of last year, we signed a bilateral agreement to strengthen the procedural safeguards for this process so that families who got involved wouldn't get way

down the line or get into the line at all and find out they were not going to let this happen.

We have one family in St. Louis who has adopted, they have gone to court, have been to Russia multiple times, and the court has said they are now the adoptive parents—the Russian court—of this child, but under the new requirement, they have to wait another 30 days before they can come back and take this child home. And now the Russian Government says they can never take this child home. That is totally unacceptable.

Last week Senator LANDRIEU and I, along with at least a dozen other Senators, sent a letter to President Putin urging him not to violate the agreement by signing the law. Mr. President, I ask unanimous consent to have printed in the RECORD the letter to his Excellency Vladimir Putin.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, December 21, 2012.

His Excellency VLADIMIR PUTIN,
President of the Russian Federation, The Kremlin, Moscow, Russia.

DEAR MR. PRESIDENT: We respectfully ask you to veto the law ''On Measures of Coercion on Persons, Involved in the Violation of the Rights of Russian Citizens,'' which includes language that permanently bans adoptions of Russian children by American families. We are deeply saddened by the events in the Duma over the past few days which have led to the passage of this law, that would abrogate the bilateral agreement between our two countries that you signed earlier this year and which entered into force on November 1, 2012. We fear that this overly broad law would have dire consequences for Russian children.

If the law takes effect, thousands of Russian children living in institutions may lose an opportunity to become part of a family. As you know, our two countries have a long tradition of working together to find permanent homes for unparented children. At any given moment, based on the statistics of the past few years, there are at least 1,000 Russian children in the process of finding supportive and protective families in the United States. They and those who would follow them would become the real victims of a misplaced legislative effort. We share in your desire to ensure the wellbeing and safety of all adopted children and remain steadfast to the commitments we made in the bilateral agreement.

Nothing is more important to the future of our world than doing our best to give as many children the chance to grow up in a family as we possibly can.

We hope that your spirit of compassion for voiceless children will prevail so that this sad turn of events will not lead to harm to so many innocent children.

MARY L. LANDRIEU,
JOHN BOOZMAN,
MARIA CANTWELL,
ROGER F. WICKER,
JIM INHOFE,
KAREN BASS,
JOHN SARBANES,
JOHN CORNYN,
JOE LIEBERMAN,
FRANK R. LAUTENBERG,
ROY BLUNT,
CHUCK GRASSLEY,
DAVE CAMP,
DANIEL LIPINSKI,
AMY KLOBUCHAR,
JEANNE SHAHEEN.

Mr. BLUNT. He signed the law anyway. Senator LANDRIEU and I are going to have a resolution that she is going to talk about, asking not only that this position be reversed but that immediately we do whatever is necessary to unite these families who have already bonded with children who are in orphanages in Russia.

I talked to a number of parents just yesterday. Bob and Sandy Davis of St. Louis have been very involved in the efforts for adoptive children from Russia and the Ukraine.

I talked to a young man this morning, Sergei Quincy, from Branson, who is 22, who was adopted by the Quincys in Branson when he was 14. At 14, he came to the United States, didn't speak any English, started the ninth grade, learned English, and at 22 he is now happily married with a couple of young children. He told me the moment of his adoption was the moment that made his dreams possible. He had a bad family situation, institutionalized with his brother and his sister in three different orphanages, and his brother was adopted by the same family who didn't know about his sister.

I talked to Senator John Lamping of Missouri, who adopted a son who is now 14 who had never gone to school. He was adopted at 8 or 9 years old, and he had never been to school anywhere.

I would hope the Senate speaks strongly and that we work as effectively as we can with the Russian representatives in this country to help them right this wrong—the immediate and unbelievable wrong for almost 50 families who know the child they are about to bring into their family and emotionally and psychologically already have.

For all the kids in Russia, the country that is No. 3 in foreign adoptions for the United States—all those kids who are likely to spend their growing-up years in an orphanage and at 15 or 16 be put out of that orphanage with no support system there are families in the United States of America who want to make them part of their family.

I would like to close by saying I continue to appreciate the great leadership on all these adoption issues that Senator LANDRIEU has shown and look forward to working with her and others as we try to help right this tragic wrong.

I would be glad to yield to my good friend from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am proud to join my friend, the Senator from Missouri, on the floor to add voice to this travesty that has recently occurred.

The Senator from Missouri described the situation accurately; that a country that claims to be a powerful nation on the Earth has decided to take powerful action against the weakest, most vulnerable individuals on the Earth, and those are children without families.

It makes no sense whatsoever for the country of Russia to take the action they did because they are in a disagreement with us in America—and maybe others around the world—about human rights violations regarding adults.

The Russian Government, in front of the whole world, has taken their anger and frustration out on their own children—their own children who are orphans, their own children who are sick, their own children who, in some cases, are disabled. It makes no sense in the world.

I was trying to think, I say to the Senator from Missouri, of what would ever possess the United States of America or any country to take their anger and their frustrations out on children. That is what the Duma did.

They are hurting their own children, and we would like to urge them strongly in this resolution—which I am going to submit for its immediate consideration on my behalf and Senator BLUNT and Senator INHOFE. We would like to ask the Russian Government to please reconsider—there might be other actions they could take to make it clear they are unhappy with some things we have done, but damning their children should not be one of them, causing children to not have an opportunity for a family or an education or health care or enough food—and to please be considerate of their needs.

The 50 or so families who are in the very end of the process, we also want to ask the government to understand that just as birth parents anticipate the birth of their child, adoptive parents anticipate the coming of that union to their family. Most important, many of these children are not infants. Some of them are, but some of them are older children who know they are about to be adopted, who understand that a mother or a father has already agreed to take them to the United States. It is going to crush their hopes and their dreams and their spirit.

We are hoping the Russian Government will reconsider.

This resolution, I hope, will be joined by our colleagues in a strong vote of support. I know that with the Senator from Missouri, he and I will continue to work in every way we can to see if we can find a better resolution.

But there are a couple other things I wish to say about this quickly. I want everyone to be clear that in the United States of America—and I am very proud of our country in this regard—we adopt over 100,000 children a year. We have 350 million people-plus, but we adopt 100,000 children. Most of those children are American children adopted by American parents, children who have lost their parents, children who have been abandoned by their parents, children who have been grossly abandoned or neglected by their parents and the courts have stepped in and terminated those rights and we immediately

find relatives or people in the community to adopt because we believe, as Americans—and many people around the world—that children shouldn't raise themselves. Every child belongs in a family, in a permanent, loving, supportive, protective family, and it is our job as a government and our job as a faith-based community and our responsibility as a community to make sure there is no parentless child in the world.

So we work very hard, not just government to government but in the churches, in the faith-based communities, working with nonprofit organizations, to make the rules and regulations and systems strong to protect children and also to protect fragile families from disintegrating, reconnecting children with families, trying our very best to do that.

We want to work with Russia to strengthen their internal child protection system. We work on strengthening ours every day. It is not perfect, but it is one of the best in the world. We still make terrible mistakes, but we do want to continue to work to improve our child welfare system. But adoption, both domestic and international—kinship adoption included—is a very important tool of child protection. We want to do a better job in the United States. We want to continue to keep avenues of adoption open for children from Russia, from China, from Romania, et cetera.

Some people may be wondering: Senator, you are so bold speaking about this. Are children from America adopted overseas? The answer is yes—not many, but under the international treaties of the rights of a child to a family, we need to be open to have American children—if they can't find an adoptive home here—to be able to go to other countries.

But the most important thing is to know that Americans step up every day to adopt American children, both infants, teenagers, and I have even known of adoptions of children who were 22 and 23 years of age. When are you ever too old to need a mother and a father?

But the action the Russian Duma has taken is a travesty, and it is incomprehensible that any government would take their anger out on another country against the children of their own country. We hope they will reconsider. We hope the people of Russia will rise and tell their government: Absolutely not. Take out your anger and frustration in another way, not on our own children, and allow these adoptions to be processed.

SENATE RESOLUTION 629—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE COMMITTEE ON ARMED SERVICES

Mr. REID of Nevada (for himself and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 629

Whereas, the United States Air Force has initiated an independent review of the case of Major General John D. Lavelle, who has been nominated to be advanced posthumously on the retired list to the rank of general;

Whereas, the Committee has received a request from the Secretary of the Air Force that those conducting the independent review of Major General Lavelle's nomination be given access to the Committee's executive session documents relating to Major General Lavelle's 1972 nomination to the rank of lieutenant general on the retired list of the Air Force;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Armed Services, acting jointly, are authorized to provide, under appropriate security procedures, records from the Committee's executive sessions relating to Major General John D. Lavelle's 1972 nomination to those persons conducting the independent review of Major General Lavelle's case on behalf of the Air Force.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3448. Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 8, providing for comprehensive tax reform, and for other purposes.

SA 3449. Mr. PRYOR (for Mr. NELSON of Florida (for himself and Mrs. HUTCHISON)) proposed an amendment to the bill H.R. 6586, to extend the application of certain space launch liability provisions through 2014.

SA 3450. Mr. PRYOR (for Mr. REID) proposed an amendment to the bill H.R. 8, providing for comprehensive tax reform, and for other purposes.

TEXT OF AMENDMENTS

SA 3448. Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 8, providing for comprehensive tax reform, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''American Taxpayer Relief Act of 2012''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title, etc.

TITLE I—GENERAL EXTENSIONS

SUBTITLE A—TAX RELIEF

Sec. 101. Permanent extension and modification of 2001 tax relief.
Sec. 102. Permanent extension and modification of 2003 tax relief.
Sec. 103. Extension of 2009 tax relief.
Sec. 104. Permanent alternative minimum tax relief.

TITLE II—INDIVIDUAL TAX EXTENDERS

Sec. 201. Extension of deduction for certain expenses of elementary and secondary school teachers.
Sec. 202. Extension of exclusion from gross income of discharge of qualified principal residence indebtedness.
Sec. 203. Extension of parity for exclusion from income for employer-provided mass transit and parking benefits.
Sec. 204. Extension of mortgage insurance premiums treated as qualified residence interest.
Sec. 205. Extension of deduction of State and local general sales taxes.
Sec. 206. Extension of special rule for contributions of capital gain real property made for conservation purposes.
Sec. 207. Extension of above-the-line deduction for qualified tuition and related expenses.
Sec. 208. Extension of tax-free distributions from individual retirement plans for charitable purposes.
Sec. 209. Improve and make permanent the provision authorizing the Internal Revenue Service to disclose certain return and return information to certain prison officials.

TITLE III—BUSINESS TAX EXTENDERS

Sec. 301. Extension and modification of research credit.
Sec. 302. Extension of temporary minimum low-income tax credit rate for non-federally subsidized new buildings.
Sec. 303. Extension of housing allowance exclusion for determining area median gross income for qualified residential rental project exempt facility bonds.
Sec. 304. Extension of Indian employment tax credit.
Sec. 305. Extension of new markets tax credit.
Sec. 306. Extension of railroad track maintenance credit.
Sec. 307. Extension of mine rescue team training credit.
Sec. 308. Extension of employer wage credit for employees who are active duty members of the uniformed services.
Sec. 309. Extension of work opportunity tax credit.
Sec. 310. Extension of qualified zone academy bonds.
Sec. 311. Extension of 15-year straight-line cost recovery for qualified leasehold improvements, qualified restaurant buildings and improvements, and qualified retail improvements.
Sec. 312. Extension of 7-year recovery period for motorsports entertainment complexes.
Sec. 313. Extension of accelerated depreciation for business property on an Indian reservation.
Sec. 314. Extension of enhanced charitable deduction for contributions of food inventory.
Sec. 315. Extension of increased expensing limitations and treatment of certain real property as section 179 property.
Sec. 316. Extension of election to expense mine safety equipment.

Sec. 317. Extension of special expensing rules for certain film and television productions.
Sec. 318. Extension of deduction allowable with respect to income attributable to domestic production activities in Puerto Rico.
Sec. 319. Extension of modification of tax treatment of certain payments to controlling exempt organizations.
Sec. 320. Extension of treatment of certain dividends of regulated investment companies.
Sec. 321. Extension of RIC qualified investment entity treatment under FIRPTA.
Sec. 322. Extension of subpart F exception for active financing income.
Sec. 323. Extension of look-thru treatment of payments between related controlled foreign corporations under foreign personal holding company rules.
Sec. 324. Extension of temporary exclusion of 100 percent of gain on certain small business stock.
Sec. 325. Extension of basis adjustment to stock of S corporations making charitable contributions of property.
Sec. 326. Extension of reduction in S-corporation recognition period for built-in gains tax.
Sec. 327. Extension of empowerment zone tax incentives.
Sec. 328. Extension of tax-exempt financing for New York Liberty Zone.
Sec. 329. Extension of temporary increase in limit on cover over of rum excise taxes to Puerto Rico and the Virgin Islands.
Sec. 330. Modification and extension of American Samoa economic development credit.
Sec. 331. Extension and modification of bonus depreciation.

TITLE IV—ENERGY TAX EXTENDERS

Sec. 401. Extension of credit for energy-efficient existing homes.
Sec. 402. Extension of credit for alternative fuel vehicle refueling property.
Sec. 403. Extension of credit for 2- or 3-wheeled plug-in electric vehicles.
Sec. 404. Extension and modification of cellulosic biofuel producer credit.
Sec. 405. Extension of incentives for biodiesel and renewable diesel.
Sec. 406. Extension of production credit for Indian coal facilities placed in service before 2009.
Sec. 407. Extension and modification of credits with respect to facilities producing energy from certain renewable resources.
Sec. 408. Extension of credit for energy-efficient new homes.
Sec. 409. Extension of credit for energy-efficient appliances.
Sec. 410. Extension and modification of special allowance for cellulosic biofuel plant property.
Sec. 411. Extension of special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.
Sec. 412. Extension of alternative fuels excise tax credits.

TITLE V—UNEMPLOYMENT

Sec. 501. Extension of emergency unemployment compensation program.
Sec. 502. Temporary extension of extended benefit provisions.
Sec. 503. Extension of funding for reemployment services and reemployment and eligibility assessment activities.
Sec. 504. Additional extended unemployment benefits under the Railroad Unemployment Insurance Act.

TITLE VI—MEDICARE AND OTHER HEALTH EXTENSIONS

Subtitle A—Medicare Extensions

Sec. 601. Medicare physician payment update.
Sec. 602. Work geographic adjustment.
Sec. 603. Payment for outpatient therapy services.
Sec. 604. Ambulance add-on payments.
Sec. 605. Extension of Medicare inpatient hospital payment adjustment for low-volume hospitals.
Sec. 606. Extension of the Medicare-dependent hospital (MDH) program.
Sec. 607. Extension for specialized Medicare Advantage plans for special needs individuals.
Sec. 608. Extension of Medicare reasonable cost contracts.
Sec. 609. Performance improvement.
Sec. 610. Extension of funding outreach and assistance for low-income programs.

Subtitle B—Other Health Extensions

Sec. 621. Extension of the qualifying individual (QI) program.
Sec. 622. Extension of Transitional Medical Assistance (TMA).
Sec. 623. Extension of Medicaid and CHIP Express Lane option.
Sec. 624. Extension of family-to-family health information centers.
Sec. 625. Extension of Special Diabetes Program for Type I diabetes and for Indians.

Subtitle C—Other Health Provisions

Sec. 631. IPPS documentation and coding adjustment for implementation of MS-DRGs.
Sec. 632. Revisions to the Medicare ESRD bundled payment system to reflect findings in the GAO report.
Sec. 633. Treatment of multiple service payment policies for therapy services.
Sec. 634. Payment for certain radiology services furnished under the Medicare hospital outpatient department prospective payment system.
Sec. 635. Adjustment of equipment utilization rate for advanced imaging services.
Sec. 636. Medicare payment of competitive prices for diabetic supplies and elimination of overpayment for diabetic supplies.
Sec. 637. Medicare payment adjustment for non-emergency ambulance transports for ESRD beneficiaries.
Sec. 638. Removing obstacles to collection of overpayments.
Sec. 639. Medicare advantage coding intensity adjustment.
Sec. 640. Elimination of all funding for the Medicare Improvement Fund.
Sec. 641. Rebasing of State DSH allotments.
Sec. 642. Repeal of CLASS program.
Sec. 643. Commission on Long-Term Care.
Sec. 644. Consumer Operated and Oriented Plan program contingency fund.

TITLE VII—EXTENSION OF AGRICULTURAL PROGRAMS

Sec. 701. 1-year extension of agricultural programs.
Sec. 702. Supplemental agricultural disaster assistance.

TITLE IX—MISCELLANEOUS PROVISIONS

Sec. 901. Strategic delivery systems.
Sec. 902. No cost of living adjustment in pay of members of congress.

TITLE X—BUDGET PROVISIONS

Subtitle A—Modifications of Sequestration

Sec. 1001. Treatment of sequester.
Sec. 1002. Amounts in applicable retirement plans may be transferred to designated Roth accounts without distribution.

Subtitle B—Budgetary Effects

Sec. 1011. Budgetary effects.

TITLE I—GENERAL EXTENSIONS

Subtitle A—Tax Relief

SEC. 101. PERMANENT EXTENSION AND MODIFICATION OF 2001 TAX RELIEF.

(a) PERMANENT EXTENSION.—

(1) IN GENERAL.—The Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking title IX.

(2) CONFORMING AMENDMENT.—The Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 is amended by striking section 304.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable, plan, or limitation years beginning after December 31, 2012, and estates of decedents dying, gifts made, or generation skipping transfers after December 31, 2012.

(b) APPLICATION OF INCOME TAX TO CERTAIN HIGH-INCOME TAXPAYERS.—

(1) INCOME TAX RATES.—

(A) TREATMENT OF 25-, 28-, AND 33-PERCENT RATE BRACKETS.—Paragraph (2) of section 1(i) is amended to read as follows:

''(2) 25-, 28-, AND 33-PERCENT RATE BRACKETS.—The tables under subsections (a), (b), (c), (d), and (e) shall be applied—

''(A) by substituting '25%' for '28%' each place it appears (before the application of subparagraph (B)),

''(B) by substituting '28%' for '31%' each place it appears, and

''(C) by substituting '33%' for '36%' each place it appears.''.

(B) 35-PERCENT RATE BRACKET.—Subsection (i) of section 1 is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) MODIFICATIONS TO INCOME TAX BRACKETS FOR HIGH-INCOME TAXPAYERS.—

''(A) 35-PERCENT RATE BRACKET.—In the case of taxable years beginning after December 31, 2012—

''(i) the rate of tax under subsections (a), (b), (c), and (d) on a taxpayer's taxable income in the highest rate bracket shall be 35 percent to the extent such income does not exceed an amount equal to the excess of—

''(I) the applicable threshold, over

''(II) the dollar amount at which such bracket begins, and

''(ii) the 39.6 percent rate of tax under such subsections shall apply only to the taxpayer's taxable income in such bracket in excess of the amount to which clause (i) applies.

''(B) APPLICABLE THRESHOLD.—For purposes of this paragraph, the term 'applicable threshold' means—

''(i) $450,000 in the case of subsection (a),

''(ii) $425,000 in the case of subsection (b),

''(iii) $400,000 in the case of subsection (c), and

''(iv) ½ the amount applicable under clause (i) (after adjustment, if any, under subparagraph (C)) in the case of subsection (d).

''(C) INFLATION ADJUSTMENT.—For purposes of this paragraph, with respect to taxable years beginning in calendar years after 2013, each of the dollar amounts under clauses (i), (ii), and (iii) of subparagraph (B) shall be adjusted in the same manner as under paragraph (1)(C)(i), except that subsection (f)(3)(B) shall be applied by substituting '2012' for '1992'.''.

(2) PHASEOUT OF PERSONAL EXEMPTIONS AND ITEMIZED DEDUCTIONS.—

(A) OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.—Section 68 is amended—

(i) by striking subsection (b) and inserting the following:

''(b) APPLICABLE AMOUNT.—

''(1) IN GENERAL.—For purposes of this section, the term 'applicable amount' means—

''(A) $300,000 in the case of a joint return or a surviving spouse (as defined in section 2(a)),

''(B) $275,000 in the case of a head of household (as defined in section 2(b)),

''(C) $250,000 in the case of an individual who is not married and who is not a surviving spouse or head of household, and

''(D) ½ the amount applicable under subparagraph (A) (after adjustment, if any, under paragraph (2)) in the case of a married individual filing a separate return.

For purposes of this paragraph, marital status shall be determined under section 7703.

''(2) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in calendar years after 2013, each of the dollar amounts under subparagraphs (A), (B), and (C) of paragraph (1) shall be shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, except that section 1(f)(3)(B) shall be applied by substituting '2012' for '1992'.

If any amount after adjustment under the preceding sentence is not a multiple of $50, such amount shall be rounded to the next lowest multiple of $50.'', and

(ii) by striking subsections (f) and (g).

(B) PHASEOUT OF DEDUCTIONS FOR PERSONAL EXEMPTIONS.—

(i) IN GENERAL.—Paragraph (3) of section 151(d) is amended—

(I) by striking ''the threshold amount'' in subparagraphs (A) and (B) and inserting ''the applicable amount in effect under section 68(b)'',

(II) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C), and

(III) by striking subparagraphs (E) and (F).

(ii) CONFORMING AMENDMENTS.—Paragraph (4) of section 151(d) is amended—

(I) by striking subparagraph (B),

(II) by redesignating clauses (i) and (ii) of subparagraph (A) as subparagraphs (A) and (B), respectively, and by indenting such subparagraphs (as so redesignated) accordingly, and

(III) by striking all that precedes ''in a calendar year after 1989,'' and inserting the following:

''(4) INFLATION ADJUSTMENT.—In the case of any taxable year beginning''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2012.

(c) MODIFICATIONS OF ESTATE TAX.—

(1) MAXIMUM ESTATE TAX RATE EQUAL TO 40 PERCENT.—The table contained in subsection (c) of section 2001, as amended by section 302(a)(2) of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, is amended by striking ''Over $500,000'' and all that follows and inserting the following:

''Over $500,000 but not over $750,000	$155,800, plus 37 percent of the excess of such amount over $500,000.
Over $750,000 but not over $1,000,000	$248,300, plus 39 percent of the excess of such amount over $750,000.
Over $1,000,000	$345,800, plus 40 percent of the excess of such amount over $1,000,000.''.

(2) TECHNICAL CORRECTION.—Clause (i) of section 2010(c)(4)(B) is amended by striking ''basic exclusion amount'' and inserting ''applicable exclusion amount''.

(3) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided by in this paragraph, the amendments made by this subsection shall apply to estates of decedents dying, generation-skipping transfers, and gifts made, after December 31, 2012.

(B) TECHNICAL CORRECTION.—The amendment made by paragraph (2) shall take effect as if included in the amendments made by section 303 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

SEC. 102. PERMANENT EXTENSION AND MODIFICATION OF 2003 TAX RELIEF.

(a) PERMANENT EXTENSION.—The Jobs and Growth Tax Relief Reconciliation Act of 2003 is amended by striking section 303.

(b) 20-PERCENT CAPITAL GAINS RATE FOR CERTAIN HIGH INCOME INDIVIDUALS.—

(1) IN GENERAL.—Paragraph (1) of section 1(h) is amended by striking subparagraph (C), by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F) and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 15 percent of the lesser of—

''(i) so much of the adjusted net capital gain (or, if less, taxable income) as exceeds the amount on which a tax is determined under subparagraph (B), or

''(ii) the excess of—

''(I) the amount of taxable income which would (without regard to this paragraph) be taxed at a rate below 39.6 percent, over

''(II) the sum of the amounts on which a tax is determined under subparagraphs (A) and (B),

''(D) 20 percent of the adjusted net capital gain (or, if less, taxable income) in excess of the sum of the amounts on which tax is determined under subparagraphs (B) and (C),''.

(2) MINIMUM TAX.—Paragraph (3) of section 55(b) is amended by striking subparagraph (C), by redesignating subparagraph (D) as subparagraph (E), and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 15 percent of the lesser of—

''(i) so much of the adjusted net capital gain (or, if less, taxable excess) as exceeds the amount on which tax is determined under subparagraph (B), or

''(ii) the excess described in section 1(h)(1)(C)(ii), plus

''(D) 20 percent of the adjusted net capital gain (or, if less, taxable excess) in excess of the sum of the amounts on which tax is determined under subparagraphs (B) and (C), plus''.

(c) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking ''15 percent'' and inserting ''20 percent'':

(A) Section 531.

(B) Section 541.

(C) Section 1445(e)(1).

(D) The second sentence of section 7518(g)(6)(A).

(E) Section 53511(f)(2) of title 46, United States Code.

(2) Sections 1(h)(1)(B) and 55(b)(3)(B) are each amended by striking ''5 percent (0 percent in the case of taxable years beginning after 2007)'' and inserting ''0 percent''.

(3) Section 1445(e)(6) is amended by striking ''15 percent (20 percent in the case of taxable years beginning after December 31, 2010)'' and inserting ''20 percent''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided, the amendments made by subsections (b) and (c) shall apply to taxable years beginning after December 31, 2012.

(2) WITHHOLDING.—The amendments made by paragraphs (1)(C) and (3) of subsection (c) shall apply to amounts paid on or after January 1, 2013.

SEC. 103. EXTENSION OF 2009 TAX RELIEF.

(a) 5-YEAR EXTENSION OF AMERICAN OPPORTUNITY TAX CREDIT.—

(1) IN GENERAL.—Section 25A(i) is amended by striking ''in 2009, 2010, 2011, or 2012'' and inserting ''after 2008 and before 2018''.

(2) TREATMENT OF POSSESSIONS.—Section 1004(c)(1) of division B of the American Recovery and Reinvestment Tax Act of 2009 is amended by striking ''in 2009, 2010, 2011, and 2012'' each place it appears and inserting ''after 2008 and before 2018''.

(b) 5-YEAR EXTENSION OF CHILD TAX CREDIT.—Section 24(d)(4) is amended—

(1) by striking ''2009, 2010, 2011, AND 2012'' in the heading and inserting ''FOR CERTAIN YEARS'', and

(2) by striking ''in 2009, 2010, 2011, or 2012'' and inserting ''after 2008 and before 2018''.

(c) 5-YEAR EXTENSION OF EARNED INCOME TAX CREDIT.—Section 32(b)(3) is amended—

(1) by striking ''2009, 2010, 2011, AND 2012'' in the heading and inserting ''FOR CERTAIN YEARS'', and

(2) by striking ''in 2009, 2010, 2011, or 2012'' and inserting ''after 2008 and before 2018''.

(d) PERMANENT EXTENSION OF RULE DISREGARDING REFUNDS IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.—Section 6409 is amended to read as follows:

''SEC. 6409. REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.

''Notwithstanding any other provision of law, any refund (or advance payment with respect to a refundable credit) made to any individual under this title shall not be taken into account as income, and shall not be taken into account as resources for a period of 12 months from receipt, for purposes of determining the eligibility of such individual (or any other individual) for benefits or assistance (or the amount or extent of benefits or assistance) under any Federal program or under any State or local program financed in whole or in part with Federal funds.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2012.

(2) RULE REGARDING DISREGARD OF REFUNDS.—The amendment made by subsection (d) shall apply to amounts received after December 31, 2012.

SEC. 104. PERMANENT ALTERNATIVE MINIMUM TAX RELIEF.

(a) 2012 EXEMPTION AMOUNTS MADE PERMANENT.—

(1) IN GENERAL.—Paragraph (1) of section 55(d) is amended—

(A) by striking ''$45,000'' and all that follows through ''2011)'' in subparagraph (A) and inserting ''$78,750'',

(B) by striking ''$33,750'' and all that follows through ''2011)'' in subparagraph (B) and inserting ''$50,600'', and

(C) by striking ''paragraph (1)(A)'' in subparagraph (C) and inserting ''subparagraph (A)''.

(b) EXEMPTION AMOUNTS INDEXED FOR INFLATION.—

(1) IN GENERAL.—Subsection (d) of section 55 is amended by adding at the end the following new paragraph:

''(4) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2012, the amounts described in subparagraph (B) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2011' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) AMOUNTS DESCRIBED.—The amounts described in this subparagraph are—

''(i) each of the dollar amounts contained in subsection (b)(1)(A)(i),

''(ii) each of the dollar amounts contained in paragraph (1), and

''(iii) each of the dollar amounts in subparagraphs (A) and (B) of paragraph (3).

''(C) ROUNDING.—Any increase determined under subparagraph (A) shall be rounded to the nearest multiple of $100.''.

(2) CONFORMING AMENDMENTS.—

(A) Clause (iii) of section 55(b)(1)(A) is amended by striking ''by substituting'' and all that follows through ''appears.'' and inserting ''by substituting 50 percent of the dollar amount otherwise applicable under subclause (I) and subclause (II) thereof.''.

(B) Paragraph (3) of section 55(d) is amended—

(i) by striking ''or (2)'' in subparagraph (A),

(ii) by striking ''and'' at the end of subparagraph (B), and

(iii) by striking subparagraph (C) and inserting the following new subparagraphs:

''(C) 50 percent of the dollar amount applicable under subparagraph (A) in the case of a taxpayer described in subparagraph (C) or (D) of paragraph (1), and

''(D) $150,000 in the case of a taxpayer described in paragraph (2).''.

(c) ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE CREDITS.—

(1) IN GENERAL.—Subsection (a) of section 26 is amended to read as follows:

''(a) LIMITATION BASED ON AMOUNT OF TAX.—The aggregate amount of credits allowed by this subpart for the taxable year shall not exceed the sum of—

''(1) the taxpayer's regular tax liability for the taxable year reduced by the foreign tax credit allowable under section 27(a), and

''(2) the tax imposed by section 55(a) for the taxable year.''.

(2) CONFORMING AMENDMENTS.—

(A) ADOPTION CREDIT.—

(i) Section 23(b) is amended by striking paragraph (4).

(ii) Section 23(c) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—If the credit allowable under subsection (a) for any taxable year exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under this subpart (other than this section and sections 25D and 1400C), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.''.

(iii) Section 23(c) is amended by redesignating paragraph (3) as paragraph (2).

(B) CHILD TAX CREDIT.—

(i) Section 24(b) is amended by striking paragraph (3).

(ii) Section 24(d)(1) is amended—

(I) by striking ''section 26(a)(2) or subsection (b)(3), as the case may be,'' each place it appears in subparagraphs (A) and (B) and inserting ''section 26(a)'', and

(II) by striking ''section 26(a)(2) or subsection (b)(3), as the case may be'' in the second last sentence and inserting ''section 26(a)''.

(C) CREDIT FOR INTEREST ON CERTAIN HOME MORTGAGES.—Section 25(e)(1)(C) is amended to read as follows:

''(C) APPLICABLE TAX LIMIT.—For purposes of this paragraph, the term 'applicable tax limit' means the limitation imposed by section 26(a) for the taxable year reduced by the sum of the credits allowable under this subpart (other than this section and sections 23, 25D, and 1400C).''.

(D) HOPE AND LIFETIME LEARNING CREDITS.—Section 25A(i) is amended—

(i) by striking paragraph (5) and by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively, and

(ii) by striking ''section 26(a)(2) or paragraph (5), as the case may be'' in paragraph (5), as redesignated by clause (i), and inserting ''section 26(a)''.

(E) SAVERS' CREDIT.—Section 25B is amended by striking subsection (g).

(F) RESIDENTIAL ENERGY EFFICIENT PROPERTY.—Section 25D(c) is amended to read as follows:

''(c) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under this subpart (other than this section), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.''.

(G) CERTAIN PLUG-IN ELECTRIC VEHICLES.—Section 30(c)(2) is amended to read as follows:

''(2) PERSONAL CREDIT.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.''.

(H) ALTERNATIVE MOTOR VEHICLE CREDIT.—Section 30B(g)(2) is amended to read as follows:

''(2) PERSONAL CREDIT.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.''.

(I) NEW QUALIFIED PLUG-IN ELECTRIC VEHICLE CREDIT.—Section 30D(c)(2) is amended to read as follows:

''(2) PERSONAL CREDIT.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.''.

(J) CROSS REFERENCES.—Section 55(c)(3) is amended by striking ''26(a), 30C(d)(2),'' and inserting ''30C(d)(2)''.

(K) FOREIGN TAX CREDIT.—Section 904 is amended by striking subsection (i) and by redesignating subsections (j) , (k), and (l) as subsections (i), (j), and (k), respectively.

(L) FIRST-TIME HOME BUYER CREDIT FOR THE DISTRICT OF COLUMBIA.—Section 1400C(d) is amended to read as follows:

''(d) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under subpart A of part IV of subchapter A (other than this section and section 25D), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

TITLE II—INDIVIDUAL TAX EXTENDERS

SEC. 201. EXTENSION OF DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) is amended by striking ''or 2011'' and inserting ''2011, 2012, or 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 202. EXTENSION OF EXCLUSION FROM GROSS INCOME OF DISCHARGE OF QUALIFIED PRINCIPAL RESIDENCE INDEBTEDNESS.

(a) IN GENERAL.—Subparagraph (E) of section 108(a)(1) is amended by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to indebtedness discharged after December 31, 2012.

SEC. 203. EXTENSION OF PARITY FOR EXCLUSION FROM INCOME FOR EMPLOYER-PROVIDED MASS TRANSIT AND PARKING BENEFITS.

(a) IN GENERAL.—Paragraph (2) of section 132(f) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months after December 31, 2011.

SEC. 204. EXTENSION OF MORTGAGE INSURANCE PREMIUMS TREATED AS QUALIFIED RESIDENCE INTEREST.

(a) IN GENERAL.—Subclause (I) of section 163(h)(3)(E)(iv) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) TECHNICAL AMENDMENTS.—Clause (i) of section 163(h)(4)(E) is amended—

(1) by striking ''Veterans Administration'' and inserting ''Department of Veterans Affairs'', and

(2) by striking ''Rural Housing Administration'' and inserting ''Rural Housing Service''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or accrued after December 31, 2011.

SEC. 205. EXTENSION OF DEDUCTION OF STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 206. EXTENSION OF SPECIAL RULE FOR CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) CONTRIBUTIONS BY CERTAIN CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2011.

SEC. 207. EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 208. EXTENSION OF TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2011.

(2) SPECIAL RULES.—For purposes of subsections (a)(6), (b)(3), and (d)(8) of section 408 of the Internal Revenue Code of 1986, at the election of the taxpayer (at such time and in such manner as prescribed by the Secretary of the Treasury)—

(A) any qualified charitable distribution made after December 31, 2012, and before February 1, 2013, shall be deemed to have been made on December 31, 2012, and

(B) any portion of a distribution from an individual retirement account to the taxpayer after November 30, 2012, and before January 1, 2013, may be treated as a qualified charitable distribution to the extent that—

(i) such portion is transferred in cash after the distribution to an organization described in section 408(d)(8)(B)(i) before February 1, 2013, and

(ii) such portion is part of a distribution that would meet the requirements of section 408(d)(8) but for the fact that the distribution was not transferred directly to an organization described in section 408(d)(8)(B)(i).

SEC. 209. IMPROVE AND MAKE PERMANENT THE PROVISION AUTHORIZING THE INTERNAL REVENUE SERVICE TO DISCLOSE CERTAIN RETURN AND RETURN INFORMATION TO CERTAIN PRISON OFFICIALS.

(a) IN GENERAL.—Paragraph (10) of section 6103(k) is amended to read as follows:

''(10) DISCLOSURE OF CERTAIN RETURNS AND RETURN INFORMATION TO CERTAIN PRISON OFFICIALS.—

''(A) IN GENERAL.—Under such procedures as the Secretary may prescribe, the Secretary may disclose to officers and employees of the Federal Bureau of Prisons and of any State agency charged with the responsibility for administration of prisons any returns or return information with respect to individuals incarcerated in Federal or State prison systems whom the Secretary has determined may have filed or facilitated the filing of a false or fraudulent return to the extent that the Secretary determines that such disclosure is necessary to permit effective Federal tax administration.

''(B) DISCLOSURE TO CONTRACTOR-RUN PRISONS.—Under such procedures as the Secretary may prescribe, the disclosures authorized by subparagraph (A) may be made to contractors responsible for the operation of a Federal or State prison on behalf of such Bureau or agency.

''(C) RESTRICTIONS ON USE OF DISCLOSED INFORMATION.—Any return or return information received under this paragraph shall be used only for the purposes of and to the extent necessary in taking administrative action to prevent the filing of false and fraudulent returns, including administrative actions to address possible violations of administrative rules and regulations of the prison facility and in administrative and judicial proceedings arising from such administrative actions.

''(D) RESTRICTIONS ON REDISCLOSURE AND DISCLOSURE TO LEGAL REPRESENTATIVES.—Notwithstanding subsection (h)—

''(i) RESTRICTIONS ON REDISCLOSURE.—Except as provided in clause (ii), any officer, employee, or contractor of the Federal Bureau of Prisons or of any State agency charged with the responsibility for administration of prisons shall not disclose any information obtained under this paragraph to any person other than an officer or employee or contractor of such Bureau or agency personally and directly engaged in the administration of prison facilities on behalf of such Bureau or agency.

''(ii) DISCLOSURE TO LEGAL REPRESENTATIVES.—The returns and return information disclosed under this paragraph may be disclosed to the duly authorized legal representative of the Federal Bureau of Prisons, State agency, or contractor charged with the responsibility for administration of prisons, or of the incarcerated individual accused of filing the false or fraudulent return who is a party to an action or proceeding described in subparagraph (C), solely in preparation for, or for use in, such action or proceeding.''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (3) of section 6103(a) is amended by inserting ''subsection (k)(10),'' after ''subsection (e)(1)(D)(iii),''.

(2) Paragraph (4) of section 6103(p) is amended—

(A) by inserting ''subsection (k)(10),'' before ''subsection (l)(10),'' in the matter preceding subparagraph (A),

(B) in subparagraph (F)(i)—

(i) by inserting ''(k)(10),'' before ''or (l)(6),'', and

(ii) by inserting ''subsection (k)(10) or'' before ''subsection (l)(10),'', and

(C) by inserting ''subsection (k)(10) or'' before ''subsection (l)(10),'' both places it appears in the matter following subparagraph (F)(iii).

(3) Paragraph (2) of section 7213(a) is amended by inserting ''(k)(10),'' before ''(l)(6),''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

TITLE III—BUSINESS TAX EXTENDERS

SEC. 301. EXTENSION AND MODIFICATION OF RESEARCH CREDIT.

(a) EXTENSION.—

(1) IN GENERAL.—Subparagraph (B) of section 41(h)(1) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(2) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) INCLUSION OF QUALIFIED RESEARCH EXPENSES AND GROSS RECEIPTS OF AN ACQUIRED PERSON.—

(1) PARTIAL INCLUSION OF PRE-ACQUISITION QUALIFIED RESEARCH EXPENSES AND GROSS RECEIPTS.—Subparagraph (A) of section 41(f)(3) is amended to read as follows:

''(A) ACQUISITIONS.—

''(i) IN GENERAL.—If a person acquires the major portion of either a trade or business or a separate unit of a trade or business (hereinafter in this paragraph referred to as the 'acquired business') of another person (hereinafter in this paragraph referred to as the 'predecessor'), then the amount of qualified research expenses paid or incurred by the acquiring person during the measurement period shall be increased by the amount determined under clause (ii), and the gross receipts of the acquiring person for such period shall be increased by the amount determined under clause (iii).

''(ii) AMOUNT DETERMINED WITH RESPECT TO QUALIFIED RESEARCH EXPENSES.—The amount determined under this clause is—

''(I) for purposes of applying this section for the taxable year in which such acquisition is made, the acquisition year amount, and

''(II) for purposes of applying this section for any taxable year after the taxable year in which such acquisition is made, the qualified research expenses paid or incurred by the predecessor with respect to the acquired business during the measurement period.

''(iii) AMOUNT DETERMINED WITH RESPECT TO GROSS RECEIPTS.—The amount determined under this clause is the amount which would be determined under clause (ii) if 'the gross receipts of' were substituted for 'the qualified research expenses paid or incurred by' each place it appears in clauses (ii) and (iv).

''(iv) ACQUISITION YEAR AMOUNT.—For purposes of clause (ii), the acquisition year amount is the amount equal to the product of—

''(I) the qualified research expenses paid or incurred by the predecessor with respect to the acquired business during the measurement period, and

''(II) the number of days in the period beginning on the date of the acquisition and ending on the last day of the taxable year in which the acquisition is made,

divided by the number of days in the acquiring person's taxable year.

''(v) SPECIAL RULES FOR COORDINATING TAXABLE YEARS.—In the case of an acquiring person and a predecessor whose taxable years do not begin on the same date—

''(I) each reference to a taxable year in clauses (ii) and (iv) shall refer to the appropriate taxable year of the acquiring person,

''(II) the qualified research expenses paid or incurred by the predecessor, and the gross receipts of the predecessor, during each taxable year of the predecessor any portion of which is part of the measurement period shall be allocated equally among the days of such taxable year,

''(III) the amount of such qualified research expenses taken into account under clauses (ii) and (iv) with respect to a taxable year of the acquiring person shall be equal to the total of the expenses attributable under subclause (II) to the days occurring during such taxable year, and

''(IV) the amount of such gross receipts taken into account under clause (iii) with respect to a taxable year of the acquiring person shall be equal to the total of the gross receipts attributable under subclause (II) to the days occurring during such taxable year.

''(vi) MEASUREMENT PERIOD.—For purposes of this subparagraph, the term 'measurement period' means, with respect to the taxable year of the acquiring person for which the credit is determined, any period of the acquiring person preceding such taxable year which is taken into account for purposes of determining the credit for such year.''.

(2) EXPENSES AND GROSS RECEIPTS OF A PREDECESSOR.—Subparagraph (B) of section 41(f)(3) is amended to read as follows:

''(B) DISPOSITIONS.—If the predecessor furnished to the acquiring person such information as is necessary for the application of subparagraph (A), then, for purposes of applying this section for any taxable year ending after such disposition, the amount of qualified research expenses paid or incurred by, and the gross receipts of, the predecessor during the measurement period (as defined in subparagraph (A)(vi), determined by substituting 'predecessor' for 'acquiring person' each place it appears) shall be reduced by—

''(i) in the case of the taxable year in which such disposition is made, an amount equal to the product of—

''(I) the qualified research expenses paid or incurred by, or gross receipts of, the predecessor with respect to the acquired business during the measurement period (as so defined and so determined), and

''(II) the number of days in the period beginning on the date of acquisition (as determined for purposes of subparagraph (A)(iv)(II)) and ending on the last day of the taxable year of the predecessor in which the disposition is made,

divided by the number of days in the taxable year of the predecessor, and

''(ii) in the case of any taxable year ending after the taxable year in which such disposition is made, the amount described in clause (i)(I).''.

(c) AGGREGATION OF EXPENDITURES.—Paragraph (1) of section 41(f) is amended—

(1) by striking ''shall be its proportionate shares of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, giving rise to the credit'' in subparagraph (A)(ii) and inserting ''shall be determined on a proportionate basis to its share of the aggregate of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, taken into account by such controlled group for purposes of this section'', and

(2) by striking ''shall be its proportionate shares of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, giving rise to the credit'' in subparagraph (B)(ii) and inserting ''shall be determined on a proportionate basis to its share of the aggregate of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, taken into account by all such persons under common control for purposes of this section''.

(d) EFFECTIVE DATE.—

(1) EXTENSION.—The amendments made by subsection (a) shall apply to amounts paid or incurred after December 31, 2011.

(2) MODIFICATIONS.—The amendments made by subsections (b) and (c) shall apply to taxable years beginning after December 31, 2011.

SEC. 302. EXTENSION OF TEMPORARY MINIMUM LOW-INCOME TAX CREDIT RATE FOR NON-FEDERALLY SUBSIDIZED NEW BUILDINGS.

(a) IN GENERAL.—Subparagraph (A) of section 42(b)(2) is amended by striking ''and before December 31, 2013'' and inserting ''with respect to housing credit dollar amount allocations made before January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 303. EXTENSION OF HOUSING ALLOWANCE EXCLUSION FOR DETERMINING AREA MEDIAN GROSS INCOME FOR QUALIFIED RESIDENTIAL RENTAL PROJECT EXEMPT FACILITY BONDS.

(a) IN GENERAL.—Subsection (b) of section 3005 of the Housing Assistance Tax Act of 2008 is amended by striking ''January 1, 2012'' each place it appears and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of section 3005 of the Housing Assistance Tax Act of 2008.

SEC. 304. EXTENSION OF INDIAN EMPLOYMENT TAX CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 305. EXTENSION OF NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Subparagraph (G) of section 45D(f)(1) is amended by striking ''2010 and 2011'' and inserting ''2010, 2011, 2012, and 2013''.

(b) CARRYOVER OF UNUSED LIMITATION.—Paragraph (3) of section 45D(f) is amended by striking ''2016'' and inserting ''2018''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 2011.

SEC. 306. EXTENSION OF RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45G is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2011.

SEC. 307. EXTENSION OF MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Subsection (e) of section 45N is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 308. EXTENSION OF EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subsection (f) of section 45P is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2011.

SEC. 309. EXTENSION OF WORK OPPORTUNITY TAX CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking ''after'' and all that follows and inserting ''after December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals who begin work for the employer after December 31, 2011.

SEC. 310. EXTENSION OF QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 54E(c) is amended by inserting '', 2012, and 2013'' after ''for 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2011.

SEC. 311. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv), (v), and (ix) of section 168(e)(3)(E) are each amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2011.

SEC. 312. EXTENSION OF 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 313. EXTENSION OF ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.

(a) IN GENERAL.—Paragraph (8) of section 168(j) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 314. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2011.

SEC. 315. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended—

(A) by striking ''2010 or 2011,'' in subparagraph (B) and inserting ''2010, 2011, 2012, or 2013, and'',

(B) by striking subparagraph (C),

(C) by redesignating subparagraph (D) as subparagraph (C), and

(D) in subparagraph (C), as so redesignated, by striking ''2012'' and inserting ''2013''.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended—

(A) by striking ''2010 or 2011,'' in subparagraph (B) and inserting ''2010, 2011, 2012, or 2013, and'',

(B) by striking subparagraph (C),

(C) by redesignating subparagraph (D) as subparagraph (C), and

(D) in subparagraph (C), as so redesignated, by striking ''2012'' and inserting ''2013''.

(3) CONFORMING AMENDMENT.—Subsection (b) of section 179 is amended by striking paragraph (6).

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2013'' and inserting ''2014''.

(c) ELECTION.—Section 179(c)(2) is amended by striking ''2013'' and inserting ''2014''.

(d) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—

(1) IN GENERAL.—Section 179(f)(1) is amended by striking ''2010 or 2011'' and inserting ''2010, 2011, 2012, or 2013''.

(2) CARRYOVER LIMITATION.—

(A) IN GENERAL.—Section 179(f)(4) is amended by striking ''2011'' each place it appears and inserting ''2013''.

(B) CONFORMING AMENDMENT.—Subparagraph (C) of section 179(f)(4) is amended—

(i) in the heading, by striking ''2010'' and inserting ''2010, 2011 AND 2012'', and

(ii) by adding at the end the following: ''For the last taxable year beginning in 2013, the amount determined under subsection (b)(3)(A) for such taxable year shall be determined without regard to this paragraph.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 316. EXTENSION OF ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.

(a) IN GENERAL.—Subsection (g) of section 179E is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 317. EXTENSION OF SPECIAL EXPENSING RULES FOR CERTAIN FILM AND TELEVISION PRODUCTIONS.

(a) IN GENERAL.—Subsection (f) of section 181 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to productions commencing after December 31, 2011.

SEC. 318. EXTENSION OF DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subparagraph (C) of section 199(d)(8) is amended—

(1) by striking ''first 6 taxable years'' and inserting ''first 8 taxable years'', and

(2) by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 319. EXTENSION OF MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2011.

SEC. 320. EXTENSION OF TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Paragraphs (1)(C)(v) and (2)(C)(v) of section 871(k) are each amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 321. EXTENSION OF RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on January 1, 2012. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before the date of the enactment of this Act.

(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

(A) which makes a distribution after December 31, 2011, and before the date of the enactment of this Act; and

(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.

SEC. 322. EXTENSION OF SUBPART F EXCEPTION FOR ACTIVE FINANCING INCOME.

(a) EXEMPT INSURANCE INCOME.—Paragraph (10) of section 953(e) is amended—

(1) by striking ''January 1, 2012'' and inserting ''January 1, 2014'', and

(2) by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) SPECIAL RULE FOR INCOME DERIVED IN THE ACTIVE CONDUCT OF BANKING, FINANCING, OR SIMILAR BUSINESSES.—Paragraph (9) of section 954(h) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2011, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 323. EXTENSION OF LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Subparagraph (C) of section 954(c)(6) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2011, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 324. EXTENSION OF TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking ''January 1, 2012'' and inserting ''January 1, 2014'', and

(2) by striking ''AND 2011'' and inserting '', 2011, 2012, AND 2013'' in the heading thereof.

(b) TECHNICAL AMENDMENTS.—

(1) SPECIAL RULE FOR 2009 AND CERTAIN PERIOD IN 2010.—Paragraph (3) of section 1202(a) is amended by adding at the end the following new flush sentence:

''In the case of any stock which would be described in the preceding sentence (but for this sentence), the acquisition date for purposes of this subsection shall be the first day on which such stock was held by the taxpayer determined after the application of section 1223.''.

(2) 100 PERCENT EXCLUSION.—Paragraph (4) of section 1202(a) is amended by adding at the end the following new flush sentence:

''In the case of any stock which would be described in the preceding sentence (but for this sentence), the acquisition date for purposes of this subsection shall be the first day on which such stock was held by the taxpayer determined after the application of section 1223.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to stock acquired after December 31, 2011.

(2) SUBSECTION (b)(1).—The amendment made by subsection (b)(1) shall take effect as if included in section 1241(a) of division B of the American Recovery and Reinvestment Act of 2009.

(3) SUBSECTION (b)(2).—The amendment made by subsection (b)(2) shall take effect as if included in section 2011(a) of the Creating Small Business Jobs Act of 2010.

SEC. 325. EXTENSION OF BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 1367(a) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2011.

SEC. 326. EXTENSION OF REDUCTION IN S-CORPORATION RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.

(a) IN GENERAL.—Paragraph (7) of section 1374(d) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D), and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) SPECIAL RULE FOR 2012 AND 2013.—For purposes of determining the net recognized built-in gain for taxable years beginning in 2012 or 2013, subparagraphs (A) and (D) shall be applied by substituting '5-year' for '10-year'.'', and

(3) by adding at the end the following new subparagraph:

''(E) INSTALLMENT SALES.—If an S corporation sells an asset and reports the income from the sale using the installment method under section 453, the treatment of all payments received shall be governed by the provisions of this paragraph applicable to the taxable year in which such sale was made.''.

(b) TECHNICAL AMENDMENT.—Subparagraph (B) of section 1374(d)(2) is amended by inserting ''described in subparagraph (A)'' after '', for any taxable year''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 327. EXTENSION OF EMPOWERMENT ZONE TAX INCENTIVES.

(a) IN GENERAL.—Clause (i) of section 1391(d)(1)(A) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) INCREASED EXCLUSION OF GAIN ON STOCK OF EMPOWERMENT ZONE BUSINESSES.—Subparagraph (C) of section 1202(a)(2) is amended—

(1) by striking ''December 31, 2016'' and inserting ''December 31, 2018''; and

(2) by striking ''2016'' in the heading and inserting ''2018''.

(c) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 2011.

SEC. 328. EXTENSION OF TAX-EXEMPT FINANCING FOR NEW YORK LIBERTY ZONE.

(a) IN GENERAL.—Subparagraph (D) of section 1400L(d)(2) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued after December 31, 2011.

SEC. 329. EXTENSION OF TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2011.

SEC. 330. MODIFICATION AND EXTENSION OF AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

(a) MODIFICATION.—

(1) IN GENERAL.—Subsection (a) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended by striking ''if such corporation'' and all that follows and inserting ''if—

''(1) in the case of a taxable year beginning before January 1, 2012, such corporation—

''(A) is an existing credit claimant with respect to American Samoa, and

''(B) elected the application of section 936 of the Internal Revenue Code of 1986 for its last taxable year beginning before January 1, 2006, and

''(2) in the case of a taxable year beginning after December 31, 2011, such corporation meets the requirements of subsection (e).''.

(2) REQUIREMENTS.—Section 119 of division A of such Act is amended by adding at the end the following new subsection:

''(e) QUALIFIED PRODUCTION ACTIVITIES INCOME REQUIREMENT.—A corporation meets the requirement of this subsection if such corporation has qualified production activities income, as defined in subsection (c) of section 199 of the Internal Revenue Code of 1986, determined by substituting 'American Samoa' for 'the United States' each place it appears in paragraphs (3), (4), and (6) of such subsection (c), for the taxable year.''.

(b) EXTENSION.—Subsection (d) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended by striking ''shall apply'' and all that follows and inserting ''shall apply—

''(1) in the case of a corporation that meets the requirements of subparagraphs (A) and (B) of subsection (a)(1), to the first 8 taxable years of such corporation which begin after December 31, 2006, and before January 1, 2014, and

''(2) in the case of a corporation that does not meet the requirements of subparagraphs (A) and (B) of subsection (a)(1), to the first 2 taxable years of such corporation which begin after December 31, 2011, and before January 1, 2014.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 331. EXTENSION AND MODIFICATION OF BONUS DEPRECIATION.

(a) IN GENERAL.—Paragraph (2) of section 168(k) is amended—

(1) by striking ''January 1, 2014'' in subparagraph (A)(iv) and inserting ''January 1, 2015'', and

(2) by striking ''January 1, 2013'' each place it appears and inserting ''January 1, 2014''.

(b) SPECIAL RULE FOR FEDERAL LONG-TERM CONTRACTS.—Clause (ii) of section 460(c)(6)(B) is amended by inserting '', or after December 31, 2012, and before January 1, 2014 (January 1, 2015, in the case of property described in section 168(k)(2)(B))'' before the period.

(c) EXTENSION OF ELECTION TO ACCELERATE THE AMT CREDIT IN LIEU OF BONUS DEPRECIATION.—

(1) IN GENERAL.—Subclause (II) of section 168(k)(4)(D)(iii) is amended by striking ''2013'' and inserting ''2014''.

(2) ROUND 3 EXTENSION PROPERTY.—Paragraph (4) of section 168(k) is amended by adding at the end the following new subparagraph:

''(J) SPECIAL RULES FOR ROUND 3 EXTENSION PROPERTY.—

''(i) IN GENERAL.—In the case of round 3 extension property, this paragraph shall be applied without regard to—

''(I) the limitation described in subparagraph (B)(i) thereof, and

''(II) the business credit increase amount under subparagraph (E)(iii) thereof.

''(ii) TAXPAYERS PREVIOUSLY ELECTING ACCELERATION.—In the case of a taxpayer who made the election under subparagraph (A) for its first taxable year ending after March 31, 2008, a taxpayer who made the election under subparagraph (H)(ii) for its first taxable year ending after December 31, 2008, or a taxpayer who made the election under subparagraph (I)(iii) for its first taxable year ending after December 31, 2010—

''(I) the taxpayer may elect not to have this paragraph apply to round 3 extension property, but

''(II) if the taxpayer does not make the election under subclause (I), in applying this paragraph to the taxpayer the bonus depreciation amount, maximum amount, and maximum increase amount shall be computed and applied to eligible qualified property which is round 3 extension property.

The amounts described in subclause (II) shall be computed separately from any amounts computed with respect to eligible qualified property which is not round 3 extension property.

''(iii) TAXPAYERS NOT PREVIOUSLY ELECTING ACCELERATION.—In the case of a taxpayer who neither made the election under subparagraph (A) for its first taxable year ending after March 31, 2008, nor made the election under subparagraph (H)(ii) for its first taxable year ending after December 31, 2008, nor made the election under subparagraph (I)(iii) for any taxable year ending after December 31, 2010—

''(I) the taxpayer may elect to have this paragraph apply to its first taxable year ending after December 31, 2012, and each subsequent taxable year, and

''(II) if the taxpayer makes the election under subclause (I), this paragraph shall only apply to eligible qualified property which is round 3 extension property.

''(iv) ROUND 3 EXTENSION PROPERTY.—For purposes of this subparagraph, the term 'round 3 extension property' means property which is eligible qualified property solely by reason of the extension of the application of the special allowance under paragraph (1) pursuant to the amendments made by section 331(a) of the American Taxpayer Relief Act of 2012 (and the application of such extension to this paragraph pursuant to the amendment made by section 331(c)(1) of such Act).''.

(d) NORMALIZATION RULES AMENDMENT.—Clause (ii) of section 168(i)(9)(A) is amended by inserting ''(respecting all elections made by the taxpayer under this section)'' after ''such property''.

(e) CONFORMING AMENDMENTS.—

(1) The heading for subsection (k) of section 168 is amended by striking ''JANUARY 1, 2013'' and inserting ''JANUARY 1, 2014''.

(2) The heading for clause (ii) of section 168(k)(2)(B) is amended by striking ''PRE-JANUARY 1, 2013'' and inserting ''PRE-JANUARY 1, 2014''.

(3) Subparagraph (C) of section 168(n)(2) is amended by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(4) Subparagraph (D) of section 1400L(b)(2) is amended by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(5) Subparagraph (B) of section 1400N(d)(3) is amended by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2012, in taxable years ending after such date.

TITLE IV—ENERGY TAX EXTENDERS

SEC. 401. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT EXISTING HOMES.

(a) IN GENERAL.—Paragraph (2) of section 25C(g) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 402. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 30C(g) is amended by striking ''December 31, 2011.'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 403. EXTENSION OF CREDIT FOR 2- OR 3-WHEELED PLUG-IN ELECTRIC VEHICLES.

(a) IN GENERAL.—Section 30D is amended by adding at the end the following new subsection:

''(g) CREDIT ALLOWED FOR 2- AND 3-WHEELED PLUG-IN ELECTRIC VEHICLES.—

''(1) IN GENERAL.—In the case of a qualified 2- or 3-wheeled plug-in electric vehicle—

''(A) there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of the applicable amount with respect to each such qualified 2- or 3-wheeled plug-in electric vehicle placed in service by the taxpayer during the taxable year, and

''(B) the amount of the credit allowed under subparagraph (A) shall be treated as a credit allowed under subsection (a).

''(2) APPLICABLE AMOUNT.—For purposes of paragraph (1), the applicable amount is an amount equal to the lesser of—

''(A) 10 percent of the cost of the qualified 2- or 3-wheeled plug-in electric vehicle, or

''(B) $2,500.

''(3) QUALIFIED 2- OR 3-WHEELED PLUG-IN ELECTRIC VEHICLE.—The term 'qualified 2- or 3-wheeled plug-in electric vehicle' means any vehicle which—

''(A) has 2 or 3 wheels,

''(B) meets the requirements of subparagraphs (A), (B), (C), (E), and (F) of subsection (d)(1) (determined by substituting '2.5 kilowatt hours' for '4 kilowatt hours' in subparagraph (F)(i)),

''(C) is manufactured primarily for use on public streets, roads, and highways,

''(D) is capable of achieving a speed of 45 miles per hour or greater, and

''(E) is acquired after December 31, 2011, and before January 1, 2014.''.

(b) CONFORMING AMENDMENTS.—

(1) NO DOUBLE BENEFIT.—Paragraph (2) of section 30D(f) is amended—

(A) by striking ''new qualified plug-in electric drive motor vehicle'' and inserting ''vehicle for which a credit is allowable under subsection (a)'', and

(B) by striking ''allowed under subsection (a)'' and inserting ''allowed under such subsection''.

(2) AIR QUALITY AND SAFETY STANDARDS.—Section 30D(f)(7) is amended by striking ''motor vehicle'' and inserting ''vehicle''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to vehicles acquired after December 31, 2011.

SEC. 404. EXTENSION AND MODIFICATION OF CELLULOSIC BIOFUEL PRODUCER CREDIT.

(a) EXTENSION.—

(1) IN GENERAL.—Subparagraph (H) of section 40(b)(6) is amended to read as follows:

''(H) APPLICATION OF PARAGRAPH.—

''(i) IN GENERAL.—This paragraph shall apply with respect to qualified cellulosic biofuel production after December 31, 2008, and before January 1, 2014.

''(ii) NO CARRYOVER TO CERTAIN YEARS AFTER EXPIRATION.—If this paragraph ceases to apply for any period by reason of clause (i), rules similar to the rules of subsection (e)(2) shall apply.''.

(2) CONFORMING AMENDMENT.—Paragraph (2) of section 40(e) is amended by striking ''or subsection (b)(6)(H)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in section 15321(b) of the Heartland, Habitat, and Horticulture Act of 2008.

(b) ALGAE TREATED AS A QUALIFIED FEEDSTOCK.—

(1) IN GENERAL.—Subclause (I) of section 40(b)(6)(E)(i) is amended to read as follows:

''(I) is derived by, or from, qualified feedstocks, and''.

(2) QUALIFIED FEEDSTOCK; SPECIAL RULES FOR ALGAE.—Paragraph (6) of section 40(b) is amended by redesignating subparagraphs (F), (G), and (H), as amended by this Act, as subparagraphs (H), (I), and (J), respectively, and by inserting after subparagraph (E) the following new subparagraphs:

''(F) QUALIFIED FEEDSTOCK.—For purposes of this paragraph, the term 'qualified feedstock' means—

''(i) any lignocellulosic or hemicellulosic matter that is available on a renewable or recurring basis, and

''(ii) any cultivated algae, cyanobacteria, or lemna.

''(G) SPECIAL RULES FOR ALGAE.—In the case of fuel which is derived by, or from, feedstock described in subparagraph (F)(ii) and which is sold by the taxpayer to another person for refining by such other person into a fuel which meets the requirements of subparagraph (E)(i)(II) and the refined fuel is not excluded under subparagraph (E)(iii)—

''(i) such sale shall be treated as described in subparagraph (C)(i),

''(ii) such fuel shall be treated as meeting the requirements of subparagraph (E)(i)(II) and as not being excluded under subparagraph (E)(iii) in the hands of such taxpayer, and

''(iii) except as provided in this subparagraph, such fuel (and any fuel derived from such fuel) shall not be taken into account under subparagraph (C) with respect to the taxpayer or any other person.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 40, as amended by paragraph (2), is amended—

(i) by striking ''cellulosic biofuel'' each place it appears in the text thereof and inserting ''second generation biofuel'',

(ii) by striking ''CELLULOSIC'' in the headings of subsections (b)(6), (b)(6)(E), and (d)(3)(D) and inserting ''SECOND GENERATION'', and

(iii) by striking ''CELLULOSIC'' in the headings of subsections (b)(6)(C), (b)(6)(D), (b)(6)(H), (d)(6), and (e)(3) and inserting ''SECOND GENERATION''.

(B) Clause (ii) of section 40(b)(6)(E) is amended by striking ''Such term shall not'' and inserting ''The term 'second generation biofuel' shall not''.

(C) Paragraph (1) of section 4101(a) is amended by striking ''cellulosic biofuel'' and inserting ''second generation biofuel''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuels sold or used after the date of the enactment of this Act.

SEC. 405. EXTENSION OF INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(2) Subparagraph (B) of section 6427(e)(6) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2011.

SEC. 406. EXTENSION OF PRODUCTION CREDIT FOR INDIAN COAL FACILITIES PLACED IN SERVICE BEFORE 2009.

(a) IN GENERAL.—Subparagraph (A) of section 45(e)(10) is amended by striking ''7-year period'' each place it appears and inserting ''8-year period''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coal produced after December 31, 2012.

SEC. 407. EXTENSION AND MODIFICATION OF CREDITS WITH RESPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.

(a) PRODUCTION TAX CREDIT.—

(1) EXTENSION FOR WIND FACILITIES.—Paragraph (1) of section 45(d) is amended by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(2) EXCLUSION OF PAPER WHICH IS COMMONLY RECYCLED FROM DEFINITION OF MUNICIPAL SOLID WASTE.—Section 45(c)(6) is amended by inserting '', except that such term does not include paper which is commonly recycled and which has been segregated from other solid waste (as so defined)'' after ''(42 U.S.C. 6903)''.

(3) MODIFICATION TO DEFINITION OF QUALIFIED FACILITY.—

(A) IN GENERAL.—The following provisions of section 45(d), as amended by paragraph (1), are each amended by striking ''before January 1, 2014'' and inserting ''the construction of which begins before January 1, 2014'':

(i) Paragraph (1).

(ii) Paragraph (2)(A)(i).

(iii) Paragraph (3)(A)(i)(I).

(iv) Paragraph (6).

(v) Paragraph (7).

(vi) Paragraph (9)(B).

(vii) Paragraph (11)(B).

(B) CERTAIN CLOSED-LOOP BIOMASS FACILITIES.—Subparagraph (A) of section 45(d)(2) is amended by adding at the end the following new flush sentence:

''For purposes of clause (ii), a facility shall be treated as modified before January 1, 2014, if the construction of such modification begins before such date.''.

(C) CERTAIN OPEN-LOOP BIOMASS FACILITIES.—Clause (ii) of section 45(d)(3)(A) is amended by striking ''is originally placed in service'' and inserting ''the construction of which begins''.

(D) GEOTHERMAL FACILITIES.—

(i) IN GENERAL.—Paragraph (4) of section 45(d) is amended by striking ''and before January 1, 2014'' and all that follows and inserting ''and which—

''(A) in the case of a facility using solar energy, is placed in service before January 1, 2006, or

''(B) in the case of a facility using geothermal energy, the construction of which begins before January 1, 2014.

Such term shall not include any property described in section 48(a)(3) the basis of which is taken into account by the taxpayer for purposes of determining the energy credit under section 48.''.

(E) INCREMENTAL HYDROPOWER PRODUCTION.—Paragraph (9) of section 45(d) is amended—

(i) by redesignating subparagraphs (A) and (B), as amended by subparagraph (A), as clauses (i) and (ii), respectively, and by moving such clauses (as so redesignated) 2 ems to the right,

(ii) by striking ''In the case of a facility'' and inserting the following:

''(A) IN GENERAL.—In the case of a facility'',

(iii) by redesignating subparagraph (C) as subparagraph (B), and

(iv) by adding at the end the following new subparagraph:

''(C) SPECIAL RULE.—For purposes of subparagraph (A)(i), an efficiency improvement or addition to capacity shall be treated as placed in service before January 1, 2014, if the construction of such improvement or addition begins before such date.''.

(b) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Subparagraph (C) of section 48(a)(5) is amended to read as follows:

''(C) QUALIFIED INVESTMENT CREDIT FACILITY.—For purposes of this paragraph, the term 'qualified investment credit facility' means any facility—

''(i) which is a qualified facility (within the meaning of section 45) described in paragraph (1), (2), (3), (4), (6), (7), (9), or (11) of section 45(d),

''(ii) which is placed in service after 2008 and the construction of which begins before January 1, 2014, and

''(iii) with respect to which—

''(I) no credit has been allowed under section 45, and

''(II) the taxpayer makes an irrevocable election to have this paragraph apply.''.

(c) TECHNICAL CORRECTIONS.—

(1) Subparagraph (D) of section 48(a)(5) is amended—

(A) by striking ''and'' at the end of clause (i)(II),

(B) by striking the period at the end of clause (ii) and inserting a comma, and

(C) by adding at the end the following new clauses:

''(iii) which is constructed, reconstructed, erected, or acquired by the taxpayer, and

''(iv) the original use of which commences with the taxpayer.''.

(2) Paragraphs (1) and (2) of subsection (a) of section 1603 of division B of the American Recovery and Reinvestment Act of 2009 are each amended by striking ''placed in service'' and inserting ''originally placed in service by such person''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) MODIFICATION TO DEFINITION OF MUNICIPAL SOLID WASTE.—The amendments made by subsection (a)(2) shall apply to electricity produced and sold after the date of the enactment of this Act, in taxable years ending after such date.

(3) TECHNICAL CORRECTIONS.—The amendments made by subsection (c) shall apply as if included in the enactment of the provisions of the American Recovery and Reinvestment Act of 2009 to which they relate.

SEC. 408. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT NEW HOMES.

(a) IN GENERAL.—Subsection (g) of section 45L is amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) ENERGY SAVINGS REQUIREMENTS.—Clause (i) of section 45L(c)(1)(A) is amended by striking ''2003 International Energy Conservation Code, as such Code (including supplements) is in effect on the date of the enactment of this section''and inserting ''2006 International Energy Conservation Code, as such Code (including supplements) is in effect on January 1, 2006''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to homes acquired after December 31, 2011.

SEC. 409. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT APPLIANCES.

(a) IN GENERAL.—Section 45M(b) is amended by striking ''2011'' each place it appears other than in the provisions specified in subsection (b) and inserting ''2011, 2012, or 2013''.

(b) PROVISIONS SPECIFIED.—The provisions of section 45M(b) specified in this subsection are subparagraph (C) of paragraph (1) and subparagraph (E) of paragraph (2).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to appliances produced after December 31, 2011.

SEC. 410. EXTENSION AND MODIFICATION OF SPECIAL ALLOWANCE FOR CELLULOSIC BIOFUEL PLANT PROPERTY.

(a) EXTENSION.—

(1) IN GENERAL.—Subparagraph (D) of section 168(l)(2) is amended by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to property placed in service after December 31, 2012.

(b) ALGAE TREATED AS A QUALIFIED FEEDSTOCK FOR PURPOSES OF BONUS DEPRECIATION FOR BIOFUEL PLANT PROPERTY.—

(1) IN GENERAL.—Subparagraph (A) of section 168(l)(2) is amended by striking ''solely to produce cellulosic biofuel'' and inserting ''solely to produce second generation biofuel (as defined in section 40(b)(6)(E))''.

(2) CONFORMING AMENDMENTS.—Subsection (l) of section 168, as amended by subsection (a), is amended—

(A) by striking ''cellulosic biofuel'' each place it appears in the text thereof and inserting ''second generation biofuel'',

(B) by striking paragraph (3) and redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively,

(C) by striking ''CELLULOSIC'' in the heading of such subsection and inserting ''SECOND GENERATION'', and

(D) by striking ''CELLULOSIC'' in the heading of paragraph (2) and inserting ''SECOND GENERATION''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after the date of the enactment of this Act.

SEC. 411. EXTENSION OF SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Paragraph (3) of section 451(i) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions after December 31, 2011.

SEC. 412. EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS.

(a) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3) are each amended by striking ''December 31, 2011'' and inserting ''December 31, 2013''.

(b) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Paragraph (6) of section 6427(e) is amended—

(1) in subparagraph (C)—

(A) by striking ''or alternative fuel mixture (as defined in subsection (d)(2) or (e)(3) of section 6426)'' and inserting ''(as defined in section 6426(d)(2))'', and

(B) by striking ''December 31, 2011, and'' and inserting ''December 31, 2013,'',

(2) in subparagraph (D)—

(A) by striking ''or alternative fuel mixture'', and

(B) by striking the period at the end and inserting '', and'', and

(3) by adding at the end the following new subparagraph:

''(E) any alternative fuel mixture (as defined in section 6426(e)(2)) sold or used after December 31, 2011.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2011.

TITLE V—UNEMPLOYMENT

SEC. 501. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) EXTENSION.—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''January 2, 2013'' and inserting ''January 1, 2014''.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (H), by striking ''and'' at the end; and

(2) by inserting after subparagraph (I) the following:

''(J) the amendments made by section 501(a) of the American Taxpayer Relief Act of 2012;''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Unemployment Benefits Extension Act of 2012 (Public Law 112–96)

SEC. 502. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) IN GENERAL.—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note), is amended—

(1) by striking ''December 31, 2012'' each place it appears and inserting ''December 31, 2013''; and

(2) in subsection (c), by striking ''June 30, 2013'' and inserting ''June 30, 2014''.

(b) EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''June 30, 2013'' and inserting ''June 30, 2014''.

(c) EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking ''December 31, 2012'' and inserting ''December 31, 2013''; and

(2) in subsection (f)(2), by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Unemployment Benefits Extension Act of 2012 (Public Law 112–96).

SEC. 503. EXTENSION OF FUNDING FOR REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) IN GENERAL.—Section 4004(c)(2)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''through fiscal year 2013'' and inserting ''through fiscal year 2014''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Unemployment Benefits Extension Act of 2012 (Public Law 112–96).

SEC. 504. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) EXTENSION.—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act, as added by section 2006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) and as amended by section 9 of the Worker, Homeownership, and Business Assistance Act of 2009 (Public Law 111–92), section 505 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (Public Law 111–312), section 202 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112–78), and section 2124 of the Unemployment Benefits Extension Act of 2012 (Public Law 112–96), is amended—

(1) by striking ''June 30, 2012'' and inserting ''June 30, 2013''; and

(2) by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

(c) FUNDING FOR ADMINISTRATION.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board $250,000 for administrative expenses associated with the payment of additional extended unemployment benefits provided under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act by reason of the amendments made by subsection (a), to remain available until expended.

TITLE VI—MEDICARE AND OTHER HEALTH EXTENSIONS

Subtitle A—Medicare Extensions

SEC. 601. MEDICARE PHYSICIAN PAYMENT UPDATE.

(a) IN GENERAL.—Section 1848(d) of the Social Security Act (42 U.S.C. 1395w–4(d)) is amended by adding at the end the following new paragraph:

''(14) UPDATE FOR 2013.—

''(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), (9)(B), (10)(B), (11)(B), (12)(B), and (13)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2013, the update to the single conversion factor for such year shall be zero percent.

''(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR 2014 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for 2014 and subsequent years as if subparagraph (A) had never applied.''.

(b) ADVANCEMENT OF CLINICAL DATA REGISTRIES TO IMPROVE THE QUALITY OF HEALTH CARE.—

(1) IN GENERAL.—Section 1848(m)(3) of the Social Security Act (42 U.S.C. 1395w–4(m)(3)) is amended—

(A) by redesignating subparagraph (D) as subparagraph (F); and

(B) by inserting after subparagraph (C) the following new subparagraphs:

''(D) SATISFACTORY REPORTING MEASURES THROUGH PARTICIPATION IN A QUALIFIED CLINICAL DATA REGISTRY.—For 2014 and subsequent years, the Secretary shall treat an eligible professional as satisfactorily submitting data on quality measures under subparagraph (A) if, in lieu of reporting measures under subsection (k)(2)(C), the eligible professional is satisfactorily participating, as determined by the Secretary, in a qualified clinical data registry (as described in subparagraph (E)) for the year.

''(E) QUALIFIED CLINICAL DATA REGISTRY.—

''(i) IN GENERAL.—The Secretary shall establish requirements for an entity to be considered a qualified clinical data registry. Such requirements shall include a requirement that the entity provide the Secretary with such information, at such times, and in such manner, as the Secretary determines necessary to carry out this subsection.

''(ii) CONSIDERATIONS.—In establishing the requirements under clause (i), the Secretary shall consider whether an entity—

''(I) has in place mechanisms for the transparency of data elements and specifications, risk models, and measures;

''(II) requires the submission of data from participants with respect to multiple payers;

''(III) provides timely performance reports to participants at the individual participant level; and

''(IV) supports quality improvement initiatives for participants.

''(iii) MEASURES.—With respect to measures used by a qualified clinical data registry—

''(I) sections 1890(b)(7) and 1890A(a) shall not apply; and

''(II) measures endorsed by the entity with a contract with the Secretary under section 1890(a) may be used.

''(iv) CONSULTATION.—In carrying out this subparagraph, the Secretary shall consult with interested parties.

''(v) DETERMINATION.—The Secretary shall establish a process to determine whether or not an entity meets the requirements established under clause (i). Such process may involve one or both of the following:

''(I) A determination by the Secretary.

''(II) A designation by the Secretary of one or more independent organizations to make such determination.''.

(2) GAO STUDY AND REPORT ON INCORPORATING REGISTRY DATA INTO THE MEDICARE PROGRAM IN ORDER TO IMPROVE QUALITY AND EFFICIENCY.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the potential of clinical data registries to improve the quality and efficiency of care in the Medicare program, including through payment system incentives. Such study shall include an analysis of the role of health information technology in facilitating clinical data registries and the use of data from such registries among private health insurers as well as other entities the Comptroller General determines appropriate.

(B) REPORT.—Not later than November 15, 2013, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subparagraph (A), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 602. WORK GEOGRAPHIC ADJUSTMENT.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by

striking ''before January 1, 2013'' and inserting ''before January 1, 2014''.

SEC. 603. PAYMENT FOR OUTPATIENT THERAPY SERVICES.

(a) EXTENSION.—Section 1833(g) of the Social Security Act (42 U.S.C. 1395l(g)) is amended—

(1) in paragraph (5)(A), in the first sentence, by striking ''December 31, 2012'' and inserting ''December 31, 2013''; and

(2) in paragraph (6)—

(A) by striking ''December 31, 2012'' and inserting ''December 31, 2013''; and

(B) by inserting ''or 2013'' after ''during 2012''.

(b) APPLICATION OF THERAPY CAP TO THERAPY FURNISHED AS PART OF OUTPATIENT CRITICAL ACCESS HOSPITAL SERVICES.—Section 1833(g)(6) of the Social Security Act (42 U.S.C. 1395l(g)(6)), as amended by subsection (a), is amended—

(1) by striking ''In applying'' and inserting ''(A) In applying''; and

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

''(B)(i) With respect to outpatient therapy services furnished beginning on or after January 1, 2013, and before January 1, 2014, for which payment is made under section 1834(g), the Secretary shall count toward the uniform dollar limitations described in paragraphs (1) and (3) and the threshold described in paragraph (5)(C) the amount that would be payable under this part if such services were paid under section 1834(k)(1)(B) instead of being paid under section 1834(g).

''(ii) Nothing in clause (i) shall be construed as changing the method of payment for outpatient therapy services under section 1834(g).''.

(c) BENEFICIARY PROTECTIONS.—Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)) is amended by adding at the end the following new subparagraph:

''(D) With respect to services furnished on or after January 1, 2013, where payment may not be made as a result of application of paragraphs (1) and (3), section 1879 shall apply in the same manner as such section applies to a denial that is made by reason of section 1862(a)(1).''.

(d) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, and the amendments made by, this section by program instruction or otherwise.

SEC. 604. AMBULANCE ADD-ON PAYMENTS.

(a) GROUND AMBULANCE.—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)) is amended—

(1) in the matter preceding clause (i), by striking ''January 1, 2013'' and inserting ''January 1, 2014''; and

(2) in each of clauses (i) and (ii), by striking ''January 1, 2013'' and inserting ''January 1, 2014'' each place it appears.

(b) AIR AMBULANCE.—Section 146(b)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), as amended by sections 3105(b) and 10311(b) of the Patient Protection and Affordable Care Act (Public Law 111–148), section 106(b) of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111–309), section 306(b) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112–78), and section 3007(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96), is amended by striking ''December 31, 2012'' and inserting ''June 30, 2013''.

(c) SUPER RURAL AMBULANCE.—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended in the first sentence by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

(d) STUDIES OF AMBULANCE COSTS.—

(1) IN GENERAL.—The Secretary of Health and Health and Human Services (in this subsection referred to as the ''Secretary'') shall conduct a study of each of the following:

(A) A study that analyzes data on existing cost reports for ambulance services furnished by hospitals and critical access hospitals, including variation by characteristics of such providers of services.

(B) A study of the feasibility of obtaining cost data on a periodic basis from all ambulance providers of services and suppliers for potential use in examining the appropriateness of the Medicare add-on payments for ground ambulance services furnished under the fee schedule under section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)) and in preparing for future reform of such payment system.

(2) COMPONENTS OF ONE OF THE STUDIES.—In conducting the study under paragraph (1)(B), the Secretary shall—

(A) consult with industry on the design of such cost collection efforts;

(B) explore use of cost surveys and cost reports to collect appropriate cost data and the periodicity of such cost data collection;

(C) examine the feasibility of development of a standard cost reporting tool for providers of services and suppliers of ground ambulance services; and

(D) examine the ability to furnish such cost data by various types of ambulance providers of services and suppliers, especially by rural and super-rural providers of services and suppliers.

(3) REPORTS.—

(A) EXISTING COST REPORTS.—Not later than October 1, 2013, the Secretary shall submit a report to Congress on the study conducted under paragraph (1)(A), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

(B) OBTAINING COST DATA.—Not later than July 1, 2014, the Secretary shall submit a report to Congress on the study conducted under paragraph (1)(B), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. 605. EXTENSION OF MEDICARE INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR LOW-VOLUME HOSPITALS.

Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking ''2013'' and inserting ''2014'';

(2) in subparagraph (C)(i), by striking ''and 2012'' each place it appears and inserting '', 2012, and 2013''; and

(3) in subparagraph (D), by striking ''and 2012'' and inserting '', 2012, and 2013''.

SEC. 606. EXTENSION OF THE MEDICARE-DEPENDENT HOSPITAL (MDH) PROGRAM.

(a) EXTENSION OF PAYMENT METHODOLOGY.—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking ''October 1, 2012'' and inserting ''October 1, 2013''; and

(2) in clause (ii)(II), by striking ''October 1, 2012'' and inserting ''October 1, 2013''.

(b) CONFORMING AMENDMENTS.—

(1) EXTENSION OF TARGET AMOUNT.—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking ''October 1, 2012'' and inserting ''October 1, 2013''; and

(B) in clause (iv), by striking ''through fiscal year 2012'' and inserting ''through fiscal year 2013''.

(2) PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking ''through fiscal year 2012'' and inserting ''through fiscal year 2013''.

SEC. 607. EXTENSION FOR SPECIALIZED MEDICARE ADVANTAGE PLANS FOR SPECIAL NEEDS INDIVIDUALS.

Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by striking ''2014'' and inserting ''2015''.

SEC. 608. EXTENSION OF MEDICARE REASONABLE COST CONTRACTS.

Section 1876(h)(5)(C)(ii) of the Social Security Act (42 U.S.C. 1395mm(h)(5)(C)(ii)) is amended, in the matter preceding subclause (I), by striking ''January 1, 2013'' and inserting ''January 1, 2014''.

SEC. 609. PERFORMANCE IMPROVEMENT.

(a) EXTENSION OF FUNDING FOR CONTRACT WITH CONSENSUS-BASED ENTITY REGARDING PERFORMANCE MEASUREMENT.—

(1) IN GENERAL.—Section 1890(d) of the Social Security Act (42 U.S.C. 1395aaa(d)) is amended by striking ''fiscal years 2009 through 2012'' and inserting ''fiscal years 2009 through 2013''.

(2) REVISION TO DUTIES.—Section 1890(b) of the Social Security Act (42 U.S.C. 1395aaa(b)) is amended by striking paragraph (4).

(b) PROVIDING DATA FOR PERFORMANCE IMPROVEMENT IN A TIMELY MANNER.—

(1) IN GENERAL.—The Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall develop a strategy to provide data for performance improvement in a timely manner to applicable providers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including with respect to the provision of the following:

(A) Utilization data, including such data for items and services under parts A, B, and D of the Medicare program.

(B) Feedback on quality data submitted by the applicable provider under the Medicare program.

(2) CONSIDERATIONS.—In developing the strategy under paragraph (1), the Secretary shall consider—

(A) the type of applicable provider receiving the data;

(B) the frequency of providing the data so that it can be the most relevant in improving provider performance;

(C) risk adjustment methods;

(D) presentation of the data in a meaningful manner and easily understandable format;

(E) with respect to utilization data, the provision of data that the Secretary determines would be useful to improve the performance of the type of applicable provider involved; and

(F) administrative costs involved with providing data.

(3) SUBMISSION AND AVAILABILITY OF INITIAL STRATEGY.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall—

(A) submit to the relevant committees of Congress the strategy described in paragraph (1); and

(B) post such strategy on the website of the Centers for Medicare & Medicaid Services.

(4) STRATEGY UPDATE.—

(A) FEEDBACK FROM STAKEHOLDERS.—The Secretary shall seek feedback from stakeholders on the initial strategy submitted under paragraph (3).

(B) STRATEGY UPDATE.—The Secretary shall—

(i) update the strategy described in paragraph (1) based on the feedback submitted under subparagraph (A); and

(ii) not later than 18 months after the date of the enactment of this Act—

(I) submit such updated strategy to the relevant committees of Congress; and

(II) post such updated strategy on the website of the Centers for Medicare & Medicaid Services.

(5) GAO STUDY AND REPORT ON PRIVATE SECTOR INFORMATION SHARING ACTIVITIES.—

(A) STUDY.—The Comptroller General of the United States (in this paragraph referred to as the ''Comptroller General'') shall conduct a study on information sharing activities. Such study shall include an analysis of—

(i) how private sector entities share timely data with hospitals, physicians, and other providers and what lessons can be learned from those activities;

(ii) how the Medicare program currently shares data with providers, including what data is provided and to which providers, and what divisions within the Centers for Medicare & Medicaid Services oversee those efforts;

(iii) what, if any, differences there are between the private sector and the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) in terms of sharing data; and

(iv) what, if any, barriers there are for the Centers for Medicare & Medicaid Services to sharing timely data with applicable providers and recommendations to eliminate or reduce such barriers.

(B) REPORT.—Not later than 8 months after the date of the enactment of this Act, the Comptroller General shall submit to the relevant committees of Congress a report containing the results of the study conducted under subparagraph (A), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

(6) DEFINITIONS.—In this subsection:

(A) APPLICABLE PROVIDER.—The term ''applicable provider'' means the following:

(i) A critical access hospital (as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395xx(mm)(1))).

(ii) A hospital (as defined in section 1861(e) of such Act (42 U.S.C. 1395x(e))).

(iii) A physician (as defined in section 1861(r) of such Act (42 U.S.C. 1395x(r))).

(iv) Any other provider the Secretary determines should receive the information described in subsection (a).

(B) PERFORMANCE IMPROVEMENT.—The term ''performance improvement'' means improvements in quality, reducing per capita costs, and other criteria the Secretary determines appropriate.

SEC. 610. EXTENSION OF FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.

(a) ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note), as amended by section 3306 of the Patient Protection and Affordable Care Act Public Law 111–148), is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (ii) the following new clause:

''(iii) for fiscal year 2013, of $7,500,000.''.

(b) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—Subsection (b)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (ii) the following new clause:

''(iii) for fiscal year 2013, of $7,500,000.''.

(c) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (ii) the following new clause:

''(iii) for fiscal year 2013, of $5,000,000.''.

(d) ADDITIONAL FUNDING FOR CONTRACT WITH THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.—Subsection (d)(2) of such section 119, as so amended, is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting after clause (ii) the following new clause:

''(iii) for fiscal year 2013, of $5,000,000.''.

Subtitle B—Other Health Extensions

SEC. 621. EXTENSION OF THE QUALIFYING INDIVIDUAL (QI) PROGRAM.

(a) EXTENSION.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking ''2012'' and inserting ''2013''.

(b) EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(g) of such Act (42 U.S.C. 1396u–3(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (Q), by striking ''and'' after the semicolon;

(B) in subparagraph (R), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

''(S) for the period that begins on January 1, 2013, and ends on September 30, 2013, the total allocation amount is $485,000,000; and

''(T) for the period that begins on October 1, 2013, and ends on December 31, 2013, the total allocation amount is $300,000,000.''; and

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking ''or (R)'' and inserting ''(R), or (T)''.

SEC. 622. EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA).

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r–6(f)) are each amended by striking ''2012'' and inserting ''2013''.

SEC. 623. EXTENSION OF MEDICAID AND CHIP EXPRESS LANE OPTION.

Section 1902(e)(13)(I) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)) is amended by striking ''2013'' and inserting ''2014''.

SEC. 624. EXTENSION OF FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c)(1)(A)(iii) of the Social Security Act (42 U.S.C. 701(c)(1)(A)(iii)) is amended by striking ''2012'' and inserting ''2013''.

SEC. 625. EXTENSION OF SPECIAL DIABETES PROGRAM FOR TYPE I DIABETES AND FOR INDIANS.

(a) SPECIAL DIABETES PROGRAMS FOR TYPE I DIABETES.—Section 330B(b)(2)(C) of the Public Health Service Act (42 U.S.C. 254c–2(b)(2)(C)) is amended by striking ''2013'' and inserting ''2014''.

(b) SPECIAL DIABETES PROGRAMS FOR INDIANS.—Section 330C(c)(2)(C) of the Public Health Service Act (42 U.S.C. 254c–3(c)(2)(C)) is amended by striking ''2013'' and inserting ''2014''.

Subtitle C—Other Health Provisions

SEC. 631. IPPS DOCUMENTATION AND CODING ADJUSTMENT FOR IMPLEMENTATION OF MS-DRGS.

(a) RULE OF CONSTRUCTION AND CLARIFICATION.—

(1) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (b) shall be construed as changing the existing authority under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)) to make prospective documentation and coding adjustments to the standardized amounts under such section 1886(d) to correct for changes in the coding or classification of discharges that do not reflect real changes in case mix.

(2) CLARIFICATION.—Effective on the date of the enactment of this section, except as provided in section 7(b)(1)(B)(ii) of the TMA, Abstinence Education, and QI Programs Extension Act of 2007, as added by subsection (b)(2)(A)(ii)(IV) of this section, the Secretary of Health and Human Services shall not have authority to fully recoup past overpayments related to documentation and coding changes from fiscal years 2008 and 2009.

(b) ADJUSTMENT.—Section 7 of the TMA, Abstinence Education, and QI Programs Extension Act of 2007 (Public Law 110–90; 121 Stat. 986) is amended—

(1) in the heading, by striking ''limitation'' and all that follows through ''adjustment'' and inserting ''documentation and coding adjustments''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A)—

(I) by striking ''or 2009'' and inserting '', 2009, or 2010''; and

(II) by inserting ''or otherwise applied for such year'' after ''applied under subsection (a)''; and

(ii) in subparagraph (B)—

(I) by inserting ''(i)'' after ''(B)'';

(II) by striking ''or decrease'';

(III) by striking the period at the end and inserting ''; and''; and

(IV) by adding at the end the following:

''(ii) make an additional adjustment to the standardized amounts under such section 1886(d) based upon the Secretary's estimates for discharges occurring only during fiscal years 2014, 2015, 2016, and 2017 to fully offset $11,000,000,000 (which represents the amount of the increase in aggregate payments from fiscal years 2008 through 2013 for which an adjustment was not previously applied).''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting before the semicolon the following: ''or affecting the Secretary's authority under such paragraph to apply a prospective adjustment to offset aggregate additional payments related to documentation and coding improvements made with respect to discharges during fiscal year 2010''; and

(ii) in subparagraph (B), by striking ''and 2012'' and inserting ''2012, 2014, 2015, 2016, and 2017''.

SEC. 632. REVISIONS TO THE MEDICARE ESRD BUNDLED PAYMENT SYSTEM TO REFLECT FINDINGS IN THE GAO REPORT.

(a) ADJUSTMENT TO ESRD BUNDLED PAYMENT RATE TO ACCOUNT FOR CHANGES IN THE UTILIZATION OF CERTAIN DRUGS AND BIOLOGICALS.—Section 1881(b)(14) of the Social Security Act (42 U.S.C. 1395rr(b)(14)) is amended by adding at the end the following new subparagraph:

''(I) For services furnished on or after January 1, 2014, the Secretary shall, by comparing per patient utilization data from 2007 with such data from 2012, make reductions to the single payment that would otherwise apply under this paragraph for renal dialysis services to reflect the Secretary's estimate of the change in the utilization of drugs and biologicals described in clauses (ii), (iii), and (iv) of subparagraph (B) (other than oral-only ESRD-related drugs, as such term is used in the final rule promulgated by the Secretary in the Federal Register on August 12, 2010 (75 Fed. Reg. 49030)). In making reductions under the preceding sentence, the Secretary shall take into account the most

recently available data on average sales prices and changes in prices for drugs and biological reflected in the ESRD market basket percentage increase factor under subparagraph (F).''.

(b) TWO-YEAR DELAY OF IMPLEMENTATION OF ORAL-ONLY ESRD-RELATED DRUGS IN THE ESRD PROSPECTIVE PAYMENT SYSTEM; MONITORING.—

(1) DELAY.—The Secretary of Health and Human Services may not implement the policy under section 413.174(f)(6) of title 42, Code of Federal Regulations (relating to oral-only ESRD-related drugs in the ESRD prospective payment system), prior to January 1, 2016.

(2) MONITORING.—With respect to the implementation of oral-only ESRD-related drugs in the ESRD prospective payment system under subsection (b)(14) of section 1881 of the Social Security Act (42 U.S.C. 1395rr(b)(14)), the Secretary of Health and Human Services shall monitor the bone and mineral metabolism of individuals with end stage renal disease.

(c) ANALYSIS OF CASE MIX PAYMENT ADJUSTMENTS.—By not later than January 1, 2016, the Secretary of Health and Human Services shall—

(1) conduct an analysis of the case mix payment adjustments being used under section 1881(b)(14)(D)(i) of the Social Security Act (42 U.S.C. 1395rr(b)(14)(D)(i)); and

(2) make appropriate revisions to such case mix payment adjustments.

(d) UPDATED GAO REPORT.—Not later than December 31, 2015, the Comptroller General of the United States shall submit to Congress a report that updates the report submitted to Congress under section 10336 of the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 974). The updated report shall include an analysis of how the Secretary of Health and Human Services has addressed points raised in the report submitted under such section 10336 with respect to the Secretary's preparations to implement payment for oral-only ESRD-related drugs in the bundled prospective payment system under section 1881(b)(14) of the Social Security Act (42 U.S.C. 1395rr(b)(14)).

SEC. 633. TREATMENT OF MULTIPLE SERVICE PAYMENT POLICIES FOR THERAPY SERVICES.

(a) SERVICES FURNISHED BY PHYSICIANS AND CERTAIN OTHER PROVIDERS.—Section 1848(b)(7) of the Social Security Act (42 U.S.C. 1395w–4(b)(7)) is amended—

(1) by striking ''2011,'' and inserting ''2011, and before April 1, 2013,''; and

(2) by adding at the end the following new sentence: ''In the case of such services furnished on or after April 1, 2013, and for which payment is made under such fee schedules, instead of the 25 percent multiple procedure payment reduction specified in such final rule, the reduction percentage shall be 50 percent.''.

(b) SERVICES FURNISHED BY OTHER PROVIDERS.—Section 1834(k) of the Social Security Act (42 U.S.C. 1395m(k)) is amended by adding at the end the following new paragraph:

''(7) ADJUSTMENT IN DISCOUNT FOR CERTAIN MULTIPLE THERAPY SERVICES.—In the case of therapy services furnished on or after April 1, 2013, and for which payment is made under this subsection pursuant to the applicable fee schedule amount (as defined in paragraph (3)), instead of the 25 percent multiple procedure payment reduction specified in the final rule published by the Secretary in the Federal Register on November 29, 2010, the reduction percentage shall be 50 percent.''.

SEC. 634. PAYMENT FOR CERTAIN RADIOLOGY SERVICES FURNISHED UNDER THE MEDICARE HOSPITAL OUTPATIENT DEPARTMENT PROSPECTIVE PAYMENT SYSTEM.

Section 1833(t)(16) of the Social Security Act (42 U.S.C. 1395l(t)(16)) is amended by adding at the end the following new subparagraph:

''(D) SPECIAL PAYMENT RULE.—

''(i) IN GENERAL.—In the case of covered OPD services furnished on or after April 1, 2013, in a hospital described in clause (ii), if—

''(I) the payment rate that would otherwise apply under this subsection for stereotactic radiosurgery, complete course of treatment of cranial lesion(s) consisting of 1 session that is multi-source Cobalt 60 based (identified as of January 1, 2013, by HCPCS code 77371 (and any succeeding code) and reimbursed as of such date under APC 0127 (and any succeeding classification group)); exceeds

''(II) the payment rate that would otherwise apply under this subsection for linear accelerator based stereotactic radiosurgery, complete course of therapy in one session (identified as of January 1, 2013, by HCPCS code G0173 (and any succeeding code) and reimbursed as of such date under APC 0067 (and any succeeding classification group)),

the payment rate for the service described in subclause (I) shall be reduced to an amount equal to the payment rate for the service described in subclause (II).

''(ii) HOSPITAL DESCRIBED.—A hospital described in this clause is a hospital that is not—

''(I) located in a rural area (as defined in section 1886(d)(2)(D));

''(II) classified as a rural referral center under section 1886(d)(5)(C); or

''(III) a sole community hospital (as defined in section 1886(d)(5)(D)(iii)).

''(iii) NOT BUDGET NEUTRAL.—In making any budget neutrality adjustments under this subsection for 2013 (with respect to covered OPD services furnished on or after April 1, 2013, and before January 1, 2014) or a subsequent year, the Secretary shall not take into account the reduced expenditures that result from the application of this subparagraph.''.

SEC. 635. ADJUSTMENT OF EQUIPMENT UTILIZATION RATE FOR ADVANCED IMAGING SERVICES.

Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) in subsection (b)(4)(C)—

(A) by striking ''and subsequent years'' and inserting '', 2012, and 2013''; and

(B) by adding at the end the following new sentence: ''With respect to fee schedules established for 2014 and subsequent years, in such methodology, the Secretary shall use a 90 percent utilization rate.''; and

(2) in subsection (c)(2)(B)(v)(III), by striking ''change in the utilization rate applicable to 2011, as described in'' and inserting ''changes in the utilization rate applicable to 2011 and 2014, as described in the first and second sentence, respectively, of''.

SEC. 636. MEDICARE PAYMENT OF COMPETITIVE PRICES FOR DIABETIC SUPPLIES AND ELIMINATION OF OVERPAYMENT FOR DIABETIC SUPPLIES.

(a) APPLICATION OF COMPETITIVE BIDDING PRICES FOR DIABETIC SUPPLIES.—Section 1834(a)(1) of the Social Security Act (42 U.S.C. 1395m(a)(1)) is amended—

(1) in subparagraph (F), in the matter preceding clause (i), by striking ''subparagraph (G)'' and inserting ''subparagraphs (G) and (H)''; and

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

''(H) DIABETIC SUPPLIES.—

''(i) IN GENERAL.—On or after the date described in clause (ii), the payment amount under this part for diabetic supplies, including testing strips, that are non-mail order items (as defined by the Secretary) shall be equal to the single payment amounts established under the national mail order competition for diabetic supplies under section 1847.

''(ii) DATE DESCRIBED.—The date described in this clause is the date of the implementation of the single payment amounts under the national mail order competition for diabetic supplies under section 1847.''.

(b) OVERPAYMENT ELIMINATION FOR DIABETIC SUPPLIES.—Section 1834(a) of the Social Security Act (42 U.S.C. 1395m(a)) is amended by adding at the end the following new paragraph:

''(22) SPECIAL PAYMENT RULE FOR DIABETIC SUPPLIES.—Notwithstanding the preceding provisions of this subsection, for purposes of determining the payment amount under this subsection for diabetic supplies furnished on or after the first day of the calendar quarter during 2013 that is at least 30 days after the date of the enactment of this paragraph and before the date described in paragraph (1)(H)(ii), the Secretary shall recalculate and apply the covered item update under paragraph (14) as if subparagraph (J)(i) of such paragraph was amended by striking 'but only if furnished through mail order'.''.

SEC. 637. MEDICARE PAYMENT ADJUSTMENT FOR NON-EMERGENCY AMBULANCE TRANSPORTS FOR ESRD BENEFICIARIES.

Section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)) is amended by adding at the end the following new paragraph:

''(15) PAYMENT ADJUSTMENT FOR NON-EMERGENCY AMBULANCE TRANSPORTS FOR ESRD BENEFICIARIES.—The fee schedule amount otherwise applicable under the preceding provisions of this subsection shall be reduced by 10 percent for ambulance services furnished on or after October 1, 2013, consisting of non-emergency basic life support services involving transport of an individual with end-stage renal disease for renal dialysis services (as described in section 1881(b)(14)(B)) furnished other than on an emergency basis by a provider of services or a renal dialysis facility.''.

SEC. 638. REMOVING OBSTACLES TO COLLECTION OF OVERPAYMENTS.

(a) IN GENERAL.—The last sentence of subsections (b) and (c) of section 1870 of the Social Security Act (42 U.S.C. 1395gg) are each amended—

(1) by striking ''third year'' and inserting ''fifth year''; and

(2) by striking ''three-year'' and inserting ''five-year''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 639. MEDICARE ADVANTAGE CODING INTENSITY ADJUSTMENT.

Section 1853(a)(1)(C)(ii)(III) of the Social Security Act (42 U.S.C. 1395w–23(a)(1)(C)(ii)(III)) is amended—

(1) by striking ''1.3 percentage points'' and inserting ''1.5 percentage points''; and

(2) by striking ''5.7 percent'' and inserting ''5.9 percent''.

SEC. 640. ELIMINATION OF ALL FUNDING FOR THE MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking subparagraphs (A), (B), and (C) and inserting the following new subparagraphs:

''(A) fiscal year 2014, $0; and

''(B) fiscal year 2015, $0.''.

SEC. 641. REBASING OF STATE DSH ALLOTMENTS.

Section 1923(f)(8) of the Social Security Act (42 U.S.C. 1396r–4(f)(8)) is amended to read as follows:

''(8) SPECIAL RULES FOR CALCULATING DSH ALLOTMENTS FOR CERTAIN FISCAL YEARS.—

''(A) FISCAL YEAR 2021.—Only with respect to fiscal year 2021, the DSH allotment for a State, in lieu of the amount determined under paragraph (3) for the State for that year, shall be equal to the DSH allotment for the State as reduced under paragraph (7) for fiscal year 2020, increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2020.

''(B) FISCAL YEAR 2022.—Only with respect to fiscal year 2022, the DSH allotment for a State, in lieu of the amount determined under paragraph (3) for the State for that year, shall be equal to the DSH allotment for the State for fiscal year 2021, as determined under subparagraph (A), increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2021.

''(C) SUBSEQUENT FISCAL YEARS.—The DSH allotment for a State for fiscal years after fiscal year 2022 shall be calculated under paragraph (3) without regard to this paragraph and paragraph (7).''.

SEC. 642. REPEAL OF CLASS PROGRAM.

(a) REPEAL.—Title XXXII of the Public Health Service Act (42 U.S.C. 300ll et seq.; relating to the CLASS program) is repealed.

(b) CONFORMING CHANGES.—

(1) Title VIII of the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119, 846–847) is repealed.

(2) Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(A) by striking paragraphs (81) and (82);

(B) in paragraph (80), by inserting ''and'' at the end; and

(C) by redesignating paragraph (83) as paragraph (81).

(3) Paragraphs (2) and (3) of section 6021(d) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396p note) are amended to read as such paragraphs were in effect on the day before the date of the enactment of section 8002(d) of the Patient Protection and Affordable Care Act (Public Law 111–148). Of the funds appropriated by paragraph (3) of such section 6021(d), as amended by the Patient Protection and Affordable Care Act, the unobligated balance is rescinded.

SEC. 643. COMMISSION ON LONG-TERM CARE.

(a) ESTABLISHMENT.—There is established a commission to be known as the Commission on Long-Term Care (referred to in this section as the ''Commission'').

(b) DUTIES.—

(1) IN GENERAL.—The Commission shall develop a plan for the establishment, implementation, and financing of a comprehensive, coordinated, and high-quality system that ensures the availability of long-term services and supports for individuals in need of such services and supports, including elderly individuals, individuals with substantial cognitive or functional limitations, other individuals who require assistance to perform activities of daily living, and individuals desiring to plan for future long-term care needs.

(2) EXISTING HEALTH CARE PROGRAMS.—For purposes of developing the plan described in paragraph (1), the Commission shall provide recommendations for—

(A) addressing the interaction of a long-term services and support system with existing programs for long-term services and supports, including the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and private long-term care insurance;

(B) improvements to such health care programs that are necessary for ensuring the availability of long-term services and supports; and

(C) issues related to workers who provide long-term services and supports, including—

(i) whether the number of such workers is adequate to provide long-term services and supports to individuals with long-term care needs;

(ii) workforce development necessary to deliver high-quality services to such individuals;

(iii) development of entities that have the capacity to serve as employers and fiscal agents for workers who provide long-term services and supports in the homes of such individuals; and

(iv) addressing gaps in Federal and State infrastructure that prevent delivery of high-quality long term services and supports to such individuals.

(3) ADDITIONAL CONSIDERATIONS.—For purposes of developing the plan described in paragraph (1), the Commission shall take into account projected demographic changes and trends in the population of the United States, as well as the potential for development of new technologies, delivery systems, or other mechanisms to improve the availability and quality of long-term services and supports.

(4) CONSULTATION.—For purposes of developing the plan described in paragraph (1), the Commission shall consult with the Medicare Payment Advisory Commission, the Medicaid and CHIP Payment and Access Commission, the National Council on Disability, and relevant consumer groups.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 15 members, to be appointed not later than 30 days after the date of enactment of this Act, as follows:

(A) The President of the United States shall appoint 3 members.

(B) The majority leader of the Senate shall appoint 3 members.

(C) The minority leader of the Senate shall appoint 3 members.

(D) The Speaker of the House of Representatives shall appoint 3 members.

(E) The minority leader of the House of Representatives shall appoint 3 members.

(2) REPRESENTATION.—The membership of the Commission shall include individuals who—

(A) represent the interests of—

(i) consumers of long-term services and supports and related insurance products, as well as their representatives;

(ii) older adults;

(iii) individuals with cognitive or functional limitations;

(iv) family caregivers for individuals described in clause (i), (ii), or (iii);

(v) the health care workforce who directly provide long-term services and supports;

(vi) private long-term care insurance providers;

(vii) employers;

(viii) State insurance departments; and

(ix) State Medicaid agencies;

(B) have demonstrated experience in dealing with issues related to long-term services and supports, health care policy, and public and private insurance; and

(C) represent the health care interests and needs of a variety of geographic areas and demographic groups.

(3) CHAIRMAN AND VICE-CHAIRMAN.—The Commission shall elect a chairman and vice chairman from among its members.

(4) VACANCIES.—Any vacancy in the membership of the Commission shall be filled in the manner in which the original appointment was made and shall not affect the power of the remaining members to execute the duties of the Commission.

(5) QUORUM.—A quorum shall consist of 8 members of the Commission, except that 4 members may conduct a hearing under subsection (e)(1).

(6) MEETINGS.—The Commission shall meet at the call of its chairman or a majority of its members.

(7) COMPENSATION AND REIMBURSEMENT OF EXPENSES.—

(A) IN GENERAL.—To enable the Commission to exercise its powers, functions, and duties, there are authorized to be disbursed by the Senate the actual and necessary expenses of the Commission approved by the chairman and vice chairman, subject to subparagraph (B) and the rules and regulations of the Senate.

(B) MEMBERS.—Members of the Commission are not entitled to receive compensation for service on the Commission. Members may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Commission.

(d) STAFF AND ETHICAL STANDARDS.—

(1) STAFF.—The chairman and vice chairman of the Commission may jointly appoint and fix the compensation of staff as they deem necessary, within the guidelines for employees of the Senate and following all applicable rules and employment requirements of the Senate.

(2) ETHICAL STANDARDS.—Members of the Commission who serve in the House of Representatives shall be governed by the ethics rules and requirements of the House. Members of the Senate who serve on the Commission and staff of the Commission shall comply with the ethics rules of the Senate.

(e) POWERS.—

(1) HEARINGS AND OTHER ACTIVITIES.—For the purpose of carrying out its duties, the Commission may hold such hearings and undertake such other activities as the Commission determines to be necessary to carry out its duties.

(2) STUDIES BY GENERAL ACCOUNTING OFFICE.—Upon the request of the Commission, the Comptroller General of the United States shall conduct such studies or investigations as the Commission determines to be necessary to carry out its duties.

(3) COST ESTIMATES BY CONGRESSIONAL BUDGET OFFICE.—Upon the request of the Commission, the Director of the Congressional Budget Office shall provide to the Commission such cost estimates as the Commission determines to be necessary to carry out its duties.

(4) DETAIL OF FEDERAL EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency is authorized to detail, without reimbursement, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(5) TECHNICAL ASSISTANCE.—Upon the request of the Commission, the head of a Federal agency shall provide such technical assistance to the Commission as the Commission determines to be necessary to carry out its duties.

(6) USE OF MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as Federal agencies.

(7) OBTAINING INFORMATION.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out its duties, if the information may be disclosed under section 552 of title 5, United States Code. Upon request of the Chairman of the Commission, the head of

such agency shall furnish such information to the Commission.

(8) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(f) COMMISSION CONSIDERATION.—

(1) APPROVAL OF REPORT AND LEGISLATIVE LANGUAGE.—

(A) IN GENERAL.—Not later than 6 months after appointment of the members of the Commission (as described in subsection (c)(1)), the Commission shall vote on a comprehensive and detailed report based on the long-term care plan described in subsection (b)(1) that contains any recommendations or proposals for legislative or administrative action as the Commission deems appropriate, including proposed legislative language to carry out the recommendations or proposals (referred to in this section as the ''Commission bill'').

(B) APPROVAL BY MAJORITY OF MEMBERS.—The Commission bill shall require the approval of a majority of the members of the Commission.

(2) TRANSMISSION OF COMMISSION BILL.—

(A) IN GENERAL.—If the Commission bill is approved by the Commission pursuant to paragraph (1), then not later than 10 days after such approval, the Commission shall submit the Commission bill to the President, the Vice President, the Speaker of the House of Representatives, and the majority and minority Leaders of each House on Congress.

(B) COMMISSION BILL TO BE MADE PUBLIC.—Upon the approval or disapproval of the Commission bill pursuant to paragraph (1), the Commission shall promptly make such proposal, and a record of the vote, available to the public.

(g) TERMINATION.—The Commission shall terminate 30 days after the vote described in subsection (f)(1).

(h) CONSIDERATION OF COMMISSION RECOMMENDATIONS.—If approved by the majority required by subsection (f)(1), the Commission bill that has been submitted pursuant to subsection (f)(2)(A) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the majority leader of the Senate or by a Member of the Senate designated by the majority leader of the Senate and shall be introduced in the House of Representatives (by request) on the next legislative day by the majority leader of the House or by a member of the House designated by the majority leader of the House.

SEC. 644. CONSUMER OPERATED AND ORIENTED PLAN PROGRAM CONTINGENCY FUND.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services shall establish a fund to be used to provide assistance and oversight to qualified nonprofit health insurance issuers that have been awarded loans or grants under section 1322 of the Patient Protection and Affordable Care Act (42 U.S.C. 18042) prior to the date of enactment of this Act.

(b) TRANSFER AND RESCISSION.—

(1) TRANSFER.—From the unobligated balance of funds appropriated under section 1322(g) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(g)), 10 percent of such sums are hereby transferred to the fund established under subsection (a) to remain available until expended.

(2) RESCISSION.—Except as provided for in paragraph (1), amounts appropriated under section 1322(g) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(g)) that are unobligated as of the date of enactment of this Act are rescinded.

TITLE VII—EXTENSION OF AGRICULTURAL PROGRAMS

SEC. 701. 1-YEAR EXTENSION OF AGRICULTURAL PROGRAMS.

(a) EXTENSION.—Except as otherwise provided in this section and amendments made by this section and notwithstanding any other provision of law, the authorities provided by each provision of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651) and each amendment made by that Act (and for mandatory programs at such funding levels), as in effect on September 30, 2012, shall continue, and the Secretary of Agriculture shall carry out the authorities, until the later of—

(1) September 30, 2013; or

(2) the date specified in the provision of that Act or amendment made by that Act.

(b) COMMODITY PROGRAMS.—

(1) IN GENERAL.—The terms and conditions applicable to a covered commodity or loan commodity (as those terms are defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)) or to peanuts, sugarcane, or sugar beets for the 2012 crop year pursuant to title I of that Act (7 U.S.C. 8702 et seq.) and each amendment made by that title shall be applicable to the 2013 crop year for that covered commodity, loan commodity, peanuts, sugarcane, or sugar beets.

(2) MILK.—

(A) IN GENERAL.—Notwithstanding subsection (a), the Secretary of Agriculture shall carry out the dairy product price support program under section 1501 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771) through December 31, 2013.

(B) MILK INCOME LOSS CONTRACT PROGRAM.—Section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is amended by striking ''2012'' each place it appears in subsections (c)(3), (d)(1), (d)(2), (e)(2)(A), (g), and (h)(1) and inserting ''2013''.

(3) SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.—The provisions of law specified in subsections (a) through (c) of section 1602 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8782) shall be suspended—

(A) for the 2013 crop or production year of a covered commodity (as that term is defined in section 1001 of that Act (7 U.S.C. 8702)), peanuts, sugarcane, and sugar, as appropriate; and

(B) in the case of milk, through December 31, 2013.

(c) CONSERVATION PROGRAMS.—

(1) CONSERVATION RESERVE.—Section 1231(d) of the Food Security Act of 1985 (16 U.S.C. 3831(d)) is amended in the second sentence by striking ''and 2012'' and inserting ''2012, and 2013''.

(2) VOLUNTARY PUBLIC ACCESS.—Section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb–5) is amended by striking subsection (f) and inserting the following:

''(f) FUNDING.—

''(1) FISCAL YEARS 2009 THROUGH 2012.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section, to the maximum extent practicable, $50,000,000 for the period of fiscal years 2009 through 2012.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2013.''.

(d) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

(1) EMPLOYMENT AND TRAINING PROGRAM.—Section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) is amended by inserting '', except that for fiscal year 2013, the amount shall be $79,000,000'' before the period at the end.

(2) NUTRITION EDUCATION.—Section 28(d)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a(d)(1)) is amended—

(A) in subparagraph (A), by striking ''and'' after the semicolon at the end; and

(B) by striking subparagraph (B) and inserting the following:

''(B) for fiscal year 2012, $388,000,000;

''(C) for fiscal year 2013, $285,000,000;

''(D) for fiscal year 2014, $401,000,000;

''(E) for fiscal year 2015, $407,000,000; and

''(F) for fiscal year 2016 and each subsequent fiscal year, the applicable amount during the preceding fiscal year, as adjusted to reflect any increases for the 12-month period ending the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(e) RESEARCH PROGRAMS.—

(1) ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.—Section 1672B(f) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(f)) is amended—

(A) in the heading of paragraph (1), by striking ''IN GENERAL'' and inserting ''MANDATORY FUNDING FOR FISCAL YEARS 2009 THROUGH 2012'';

(B) in the heading of paragraph (2), by striking ''ADDITIONAL FUNDING'' and inserting ''DISCRETIONARY FUNDING FOR FISCAL YEARS 2009 THROUGH 2012''; and

(C) by adding at the end the following:

''(3) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out this section $25,000,000 for fiscal year 2013.''.

(2) SPECIALTY CROP RESEARCH INITIATIVE.—Section 412(h) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(h)) is amended—

(A) in the heading of paragraph (1), by striking ''IN GENERAL'' and inserting ''MANDATORY FUNDING FOR FISCAL YEARS 2008 THROUGH 2012'';

(B) in the heading of paragraph (2), by inserting ''FOR FISCAL YEARS 2008 THROUGH 2012'' after ''APPROPRIATIONS'';

(C) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(D) by inserting after paragraph (2) the following:

''(3) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out this section $100,000,000 for fiscal year 2013.''.

(3) BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM.—Section 7405(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(h)) is amended—

(A) in the heading of paragraph (1), by striking ''IN GENERAL'' and inserting ''MANDATORY FUNDING FOR FISCAL YEARS 2009 THROUGH 2012'';

(B) in the heading of paragraph (2), by inserting ''FOR FISCAL YEARS 2008 THROUGH 2012'' after ''APPROPRIATIONS''; and

(C) by adding at the end the following:

''(3) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out this section $30,000,000 for fiscal year 2013.''.

(f) ENERGY PROGRAMS.—

(1) BIOBASED MARKETS PROGRAM.—Section 9002(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(h)) is amended in paragraph (2) by striking ''2012'' and inserting ''2013''.

(2) BIOREFINERY ASSISTANCE.—Section 9003(h)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103(h)(2)) is amended by striking ''2012'' and inserting ''2013''.

(3) REPOWERING ASSISTANCE.—Section 9004(d)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104(d)(2)) is amended by striking ''2012'' and inserting ''2013''.

(4) BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.—Section 9005(g)(2) of the Farm Security and Rural Investment Act of 2002 (7

U.S.C. 8105(g)(2)) is amended by striking ''2012'' and inserting ''2013''.

(5) BIODIESEL FUEL EDUCATION PROGRAM.—Section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106) is amended by striking subsection (d) and inserting the following:

''(d) FUNDING.—

''(1) FISCAL YEARS 2009 THROUGH 2012.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $1,000,000 for each of fiscal years 2008 through 2012.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for fiscal year 2013.''.

(6) RURAL ENERGY FOR AMERICA PROGRAM.—Section 9007(g)(3) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(g)(3)) is amended by striking ''2012'' and inserting ''2013''.

(7) BIOMASS RESEARCH AND DEVELOPMENT.—Section 9008(h)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(h)(2)) is amended by striking ''2012'' and inserting ''2013''.

(8) RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.—Section 9009(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109(d)) is amended by striking ''2012'' and inserting ''2013''.

(9) FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.—Section 9010(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110(b)) is amended in paragraphs (1)(A) and (2)(A) by striking ''2012'' each place it appears and inserting ''2013''.

(10) BIOMASS CROP ASSISTANCE PROGRAM.—Section 9011(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111(f)) is amended—

(A) by striking ''(f) FUNDING.—Of the funds'' and inserting ''(f) FUNDING.—

''(1) FISCAL YEARS 2008 THROUGH 2012.—Of the funds''; and

(B) adding at the end the following:

''(2) FISCAL YEAR 2013.—

''(A) IN GENERAL.—There is authorized to be appropriated to carry out this section $20,000,000 for fiscal year 2013.

''(B) MULTIYEAR CONTRACTS.—For each multiyear contract entered into by the Secretary during a fiscal year under this paragraph, the Secretary shall ensure that sufficient funds are obligated from the amounts appropriated for that fiscal year to fully cover all payments required by the contract for all years of the contract.''.

(11) FOREST BIOMASS FOR ENERGY.—Section 9012(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8112(d)) is amended by striking ''2012'' and inserting ''2013''.

(12) COMMUNITY WOOD ENERGY PROGRAM.—Section 9013(e) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(e)) is amended by striking ''2012'' and inserting ''2013''.

(g) HORTICULTURE AND ORGANIC AGRICULTURE PROGRAMS.—

(1) FARMERS MARKET PROMOTION PROGRAM.—Section 6(e) of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005(e)) is amended—

(A) in the heading of paragraph (1), by striking ''IN GENERAL'' and inserting ''FISCAL YEARS 2008 THROUGH 2012'';

(B) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(C) by inserting after paragraph (1) the following:

''(2) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2013.'';

(D) in paragraph (3) (as so redesignated), by striking ''paragraph (1)'' and inserting ''paragraph (1) or (2)''; and

(E) in paragraph (5) (as so redesignated), by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(2) NATIONAL CLEAN PLANT NETWORK.—Section 10202(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7761(e)) is amended—

(A) by striking ''Of the funds'' and inserting the following:

''(1) FISCAL YEARS 2009 THROUGH 2012.—Of the funds''; and

(B) by adding at the end the following:

''(2) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out the Program $5,000,000 for fiscal year 2013.''.

(3) NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.—Section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523) is amended—

(A) in subsection (a), by striking ''Of funds of the Commodity Credit Corporation, the Secretary of Agriculture (acting through the Agricultural Marketing Service) shall use $22,000,000 for fiscal year 2008, to remain available until expended, to'' and inserting ''The Secretary of Agriculture (acting through the Agricultural Marketing Service) shall''; and

(B) by adding at the end the following:

''(d) FUNDING.—

''(1) MANDATORY FUNDING FOR FISCAL YEARS 2008 THROUGH 2012.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section $22,000,000 for the period of fiscal years 2008 through 2012.

''(2) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out this section $22,000,000 for fiscal year 2013, to remain available until expended.''.

(4) ORGANIC PRODUCTION AND MARKET DATA INITIATIVES.—Section 7407(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925c(d)) is amended—

(A) in the heading of paragraph (1), by striking ''IN GENERAL'' and inserting ''MANDATORY FUNDING THROUGH FISCAL YEAR 2012'';

(B) in the heading of paragraph (2), by striking ''ADDITIONAL FUNDING'' and inserting ''DISCRETIONARY FUNDING FOR FISCAL YEARS 2008 THROUGH 2012''; and

(C) by adding at the end the following:

''(3) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out this section $5,000,000, to remain available until expended.''.

(h) OUTREACH AND TECHNICAL ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS OR RANCHERS.—Section 2501(a)(4) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)(4)) is amended—

(1) in the heading of subparagraph (A), by striking ''IN GENERAL'' and inserting ''FISCAL YEARS 2009 THROUGH 2012'';

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(3) by inserting after subparagraph (A) the following:

''(B) FISCAL YEAR 2013.—There is authorized to be appropriated to carry out this section $20,000,000 for fiscal year 2013.'';

(4) in subparagraph (C) (as so redesignated), by striking ''subparagraph (A)'' and inserting ''subparagraph (A) or (B)''; and

(5) in subparagraph (D) (as so redesignated), by striking ''subparagraph (A)'' and inserting ''subparagraph (A) or (B)''.

(i) EXCEPTIONS.—

(1) IN GENERAL.—Subsection (a) does not apply with respect to mandatory funding provided by programs authorized by provisions of law amended by subsections (d) through (h).

(2) CONSERVATION.—Subsection (a) does not apply with respect to the programs specified in paragraphs (3)(B), (4), (6), and (7) of section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)), relating to the conservation stewardship program, farmland protection program, environmental quality incentives program, and wildlife habitat incentives program, for which program authority was extended through fiscal year 2014 by section 716 of Public Law 112–55 (125 Stat. 582).

(3) TRADE.—Subsection (a) does not apply with respect to the following provisions of law:

(A) Section 3206 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c) relating to the use of Commodity Credit Corporation funds to support local and regional food aid procurement projects.

(B) Section 3107(l)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(l)(1)) relating to the use of Commodity Credit Corporation funds to carry out the McGovern-Dole International Food for Education and Child Nutrition Program.

(4) SURVEY OF FOODS PURCHASED BY SCHOOL FOOD AUTHORITIES.—Subsection (a) does not apply with respect to section 4307 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1893) relating to the use of Commodity Credit Corporation funds for a survey and report regarding foods purchased by school food authorities.

(5) RURAL DEVELOPMENT.—Subsection (a) does not apply with respect to the following provisions of law:

(A) Section 379E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s(d)(1)), relating to funding of the rural microentrepreneur assistance program.

(B) Section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1955) relating to funding of pending rural development loan and grant applications.

(C) Section 231(b)(7)(A) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)(7)(A)), relating to funding of value-added agricultural market development program grants.

(D) Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) relating to the use of Commodity Credit Corporation funds for the National Sheep Industry Improvement Center.

(6) MARKET LOSS ASSISTANCE FOR ASPARAGUS PRODUCERS.—Subsection (a) does not apply with respect to section 10404(d) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2112).

(7) SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.—Subsection (a) does not apply with respect to section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) and title IX of the Trade Act of 1974 (19 U.S.C. 2497 et seq.) relating to the provision of supplemental agricultural disaster assistance.

(8) PIGFORD CLAIMS.—Subsection (a) does not apply with respect to section 14012 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2209) relating to determination on the merits of Pigford claims.

(9) HEARTLAND, HABITAT, HARVEST, AND HORTICULTURE ACT OF 2008.—Subsection (a) does not apply with respect to title XV of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2246), and amendments made by that title, relating to the provision of supplemental agricultural disaster assistance under title IX of the Trade Act of 1974 (19 U.S.C. 2497 et seq.), certain revenue and tax provisions, and certain trade benefits and other matters.

(j) EFFECTIVE DATE.—Except as otherwise provided in this section, this section and the amendments made by this section take effect on the earlier of—

(1) the date of the enactment of this Act; or

(2) September 30, 2012.

SEC. 702. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.

(a) IN GENERAL.—Section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) is amended—

(1) in subsection (a)(5)—

(A) in the matter preceding clause (i), by striking the first ''under''; and

(B) by redesignating clauses (i) through (iii) as subparagraphs (A), (B), and (C), respectively, and indenting appropriately;

(2) in subsection (c)—

(A) in paragraph (1), by striking ''use such sums as are necessary from the Trust Fund to''; and

(B) by adding at the end the following:

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $80,000,000 for each of fiscal years 2012 and 2013.'';

(3) in subsection (d)—

(A) in paragraph (2), by striking ''use such sums as are necessary from the Trust Fund to''; and

(B) by adding at the end the following:

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $400,000,000 for each of fiscal years 2012 and 2013.'';

(4) in subsection (e)—

(A) in paragraph (1), by striking ''use up to $50,000,000 per year from the Trust Fund to''; and

(B) by adding at the end the following:

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $50,000,000 for each of fiscal years 2012 and 2013.'';

(5) in subsection (f)—

(A) in paragraph (2)(A), by striking ''use such sums as are necessary from the Trust Fund to''; and

(B) by adding at the end the following:

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2012 and 2013.''; and

(6) in subsection (i), by inserting ''or, in the case of subsections (c) through (f), September 30, 2013'' after ''2011,''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2012.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 901. STRATEGIC DELIVERY SYSTEMS.

(a) IN GENERAL.—Paragraph 3 of section 495(c) of title 10, United States Code,, as added by section 1035 of the National Defense Authorization Act for Fiscal Year 2013, is amended—

(1) by striking ''that'' before ''the Russian Federation'' and inserting ''whether''; and

(2) by inserting ''strategic'' before ''arms control obligations''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2013.

SEC. 902. NO COST OF LIVING ADJUSTMENT IN PAY OF MEMBERS OF CONGRESS.

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during fiscal year 2013.

TITLE IX—BUDGET PROVISIONS

Subtitle A—Modifications of Sequestration

SEC. 1001. TREATMENT OF SEQUESTER.

(a) ADJUSTMENT.—Section 251A(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in subparagraph (C), by striking ''and'' after the semicolon;

(2) in subparagraph (D), by striking the period and inserting'' ; and''; and

(3) by inserting at the end the following:

''(E) for fiscal year 2013, reducing the amount calculated under subparagraphs (A) through (D) by $24,000,000,000.''.

(b) AFTER SESSION SEQUESTER.—Notwithstanding any other provision of law, the fiscal year 2013 spending reductions required by section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be evaluated and implemented on March 27, 2013.

(c) POSTPONEMENT OF BUDGET CONTROL ACT SEQUESTER FOR FISCAL YEAR 2013.—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in paragraph (4), by striking ''January 2, 2013'' and inserting ''March 1, 2013''; and

(2) in paragraph (7)(A), by striking ''January 2, 2013'' and inserting ''March 1, 2013''.

(d) ADDITIONAL ADJUSTMENTS.—

(1) SECTION 251.—Paragraphs (2) and (3) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 are amended to read as follows:

''(2) for fiscal year 2013—

''(A) for the security category, as defined in section 250(c)(4)(B), $684,000,000,000 in budget authority; and

''(B) for the nonsecurity category, as defined in section 250(c)(4)(A), $359,000,000,000 in budget authority;

''(3) for fiscal year 2014—

''(A) for the security category, $552,000,000,000 in budget authority; and

''(B) for the nonsecurity category, $506,000,000,000 in budget authority;''.

(e) 2013 SEQUESTER.—On March 1, 2013, the President shall order a sequestration for fiscal year 2013 pursuant to section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by this section, pursuant to which, only for the purposes of the calculation in sections 251A(5)(A), 251A(6)(A), and 251A(7)(A), section 251(c)(2) shall be applied as if it read as follows:

''(2) For fiscal year 2013—

''(A) for the security category, $544,000,000,000 in budget authority; and

''(B) for the nonsecurity category, $499,000,000,000 in budget authority;''.

SEC. 1002. AMOUNTS IN APPLICABLE RETIREMENT PLANS MAY BE TRANSFERRED TO DESIGNATED ROTH ACCOUNTS WITHOUT DISTRIBUTION.

(a) IN GENERAL.—Section 402A(c)(4) is amended by adding at the end the following:

''(E) SPECIAL RULE FOR CERTAIN TRANSFERS.—In the case of an applicable retirement plan which includes a qualified Roth contribution program—

''(i) the plan may allow an individual to elect to have the plan transfer any amount not otherwise distributable under the plan to a designated Roth account maintained for the benefit of the individual,

''(ii) such transfer shall be treated as a distribution to which this paragraph applies which was contributed in a qualified rollover contribution (within the meaning of section 408A(e)) to such account, and

''(iii) the plan shall not be treated as violating the provisions of section 401(k)(2)(B)(i), 403(b)(7)(A)(i), 403(b)(11), or 457(d)(1)(A), or of section 8433 of title 5, United States Code, solely by reason of such transfer.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to transfers after December 31, 2012, in taxable years ending after such date.

Subtitle B—Budgetary Effects

SEC. 1011. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SA 3449. Mr. PRYOR (for Mr. NELSON of Florida (for himself and Mrs. HUTCHISON)) proposed an amendment to the bill H.R. 6586, to extend the application of certain space launch liability provisions through 2014; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Space Exploration Sustainability Act''.

SEC. 2. ASSURANCE OF CORE CAPABILITIES.

Section 203 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18313) is amended by adding at the end the following:

''(c) SENSE OF CONGRESS REGARDING HUMAN SPACE FLIGHT CAPABILITY ASSURANCE.—It is the sense of Congress that the Administrator shall proceed with the utilization of the ISS, technology development, and follow-on transportation systems (including the Space Launch System, multi-purpose crew vehicle, and commercial crew and cargo transportation capabilities) under titles III and IV of this Act in a manner that ensures—

''(1) that these capabilities remain inherently complementary and interrelated;

''(2) a balance of the development, sustainment, and use of each of these capabilities, which are of critical importance to the viability and sustainability of the U.S. space program; and

''(3) that resources required to support the timely and sustainable development of these capabilities authorized in either title III or title IV of this Act are not derived from a reduction in resources for the capabilities authorized in the other title.''.

''(d) LIMITATION—Nothing in subsection (c) shall apply to or affect any capability authorized by any other title of this Act.''

SEC. 3. EXTENSION OF CERTAIN SPACE LAUNCH LIABILITY PROVISIONS.

Section 50915(f) of title 51, United States Code, is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

SEC. 4. EXEMPTION FROM INKSNA.

Section 7(1)(B) of the Iran, North Korea, and Syria Nonproliferation Act (50 U.S.C. 1701 note) is amended—

(1) by striking '', or for the purchase of goods or services relating to human space flight, that are''; and

(2) by striking ''prior to July 1, 2016'' and inserting ''prior to December 31, 2020''.

SA 3450. Mr. PRYOR (for Mr. REID) proposed an amendment to the bill H.R. 8, providing for comprehensive tax reform, and for other purposes; as follows:

Amended the title as to read:

An Act entitled the ''American Taxpayer Relief Act of 2012''.

EXTENDING THE APPLICATION OF CERTAIN SPACE LAUNCH LIABILITY PROVISIONS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6586, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 6586) to extend the application of certain space launch liability provisions through 2014.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. Mr. President, I ask unanimous consent that the Nelson-Hutchison substitute amendment which is at the desk be agreed to; the bill, as amended, be read a third time and passed; the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to this measure be printed in the RECORD.

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

The amendment (No. 3449) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Space Exploration Sustainability Act''.

SEC. 2. ASSURANCE OF CORE CAPABILITIES.

Section 203 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18313) is amended by adding at the end the following:

''(c) SENSE OF CONGRESS REGARDING HUMAN SPACE FLIGHT CAPABILITY ASSURANCE.—It is the sense of Congress that the Administrator shall proceed with the utilization of the ISS, technology development, and follow-on transportation systems (including the Space Launch System, multi-purpose crew vehicle, and commercial crew and cargo transportation capabilities) under titles III and IV of this Act in a manner that ensures—

''(1) that these capabilities remain inherently complementary and interrelated;

''(2) a balance of the development, sustainment, and use of each of these capabilities, which are of critical importance to the viability and sustainability of the U.S. space program; and

''(3) that resources required to support the timely and sustainable development of these capabilities authorized in either title III or title IV of this Act are not derived from a reduction in resources for the capabilities authorized in the other title.''.

''(d) LIMITATION—Nothing in subsection (c) shall apply to or affect any capability authorized by any other title of this Act.''

SEC. 3. EXTENSION OF CERTAIN SPACE LAUNCH LIABILITY PROVISIONS.

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Section 7(1)(B) of the Iran, North Korea, and Syria Nonproliferation Act (50 U.S.C. 1701 note) is amended—

(1) by striking '', or for the purchase of goods or services relating to human space flight, that are''; and

(2) by striking ''prior to July 1, 2016'' and inserting ''prior to December 31, 2020''.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 6586), as amended, was passed.

ENDANGERED FISH RECOVERY PROGRAMS EXTENSION ACT OF 2012

AUTHORIZING THE SECRETARY OF THE INTERIOR TO ISSUE RIGHT-OF-WAY PERMITS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 6060 and the Senate proceed to its consideration and consideration of Calendar No. 269, S. 302 en bloc.

The PRESIDING OFFICER. Without objection, the clerk will report the bills by title en bloc.

The assistant legislative clerk read as follows:

A bill (H.R. 6060) to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

A bill (S. 302) to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in nonwilderness areas within the boundary of Denali National Park, and for other purposes.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. PRYOR. Mr. President, I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the bills be printed in the RECORD.

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

The bill (H.R. 6060) was ordered to a third reading, was read the third time, and passed.

The bill (S. 302) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 302

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

SECTION 1. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—

(A) IN GENERAL.—The term ''appurtenance'' includes cathodic protection or test stations, valves, signage, and buried communication and electric cables relating to the operation of high-pressure natural gas transmission.

(B) EXCLUSIONS.—The term ''appurtenance'' does not include compressor stations.

(2) PARK.—The term ''Park'' means the Denali National Park and Preserve in the State of Alaska.

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

(b) PERMIT.—The Secretary may issue right-of-way permits for—

(1) a high-pressure natural gas transmission pipeline (including appurtenances) in nonwilderness areas within the boundary of Denali National Park within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park; and

(2) any distribution and transmission pipelines and appurtenances that the Secretary determines to be necessary to provide natural gas supply to the Park.

(c) TERMS AND CONDITIONS.—A permit authorized under subsection (b)—

(1) may be issued only—

(A) if the permit is consistent with the laws (including regulations) generally applicable to utility rights-of-way within units of the National Park System;

(B) in accordance with section 1106(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3166(a)); and

(C) if, following an appropriate analysis prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the route of the right-of-way is the route through the Park with the least adverse environmental effects for the Park; and

(2) shall be subject to such terms and conditions as the Secretary determines to be necessary.

ADOPTIONS OF RUSSIAN CHILDREN BY UNITED STATES CITIZENS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 628, submitted earlier today by Senators LANDRIEU and BLUNT.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 628) expressing the deep disappointment of the Senate in the enactment by the Russia Government of a law ending inter-country adoptions of Russian children by United States citizens and urging the Russia Government to reconsider the law and prioritize the processing of inter-country adoptions involving parentless Russian children who were already matched with United States families before the enactment of the law.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PRYOR. Mr. President, I ask that the Senate proceed to a voice vote on adoption of the resolution.

The PRESIDING OFFICER. Is there further debate on the resolution?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 628) was agreed to.

Mr. PRYOR. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

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

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 628

Whereas United Nations Children's Fund (UNICEF) estimates that there are 740,000 children in Russia living without parental care;

Whereas the Ministry of Science and Education of Russia estimates that 110,000 children live in state institutions in Russia;

Whereas the number of adoptions by Russian families is modest, with only 7,400 domestic adoptions in 2011 compared with 3,400 adoptions of Russian children by families abroad;

Whereas on December 28, 2012, Russian Federation President Vladimir Putin signed

into law legislation entitled ''On Measures Concerning the Implementation of Government Policy on Orphaned Children and those without Parental Care'', which includes language that permanently bans adoptions of Russian children by United States citizens;

Whereas a spokesman for President Putin, Dmitry Peskov, announced that the law is to take effect on January 1, 2013, thereby abrogating the bilateral agreement between Russia and the United States that entered into force on November 1, 2012, and requires both countries to provide one year notice of intent to terminate the agreement;

Whereas 46, and possibly more, inter-country adoptions of Russian children by United States families have already received a final adoption decree from the Russia judicial system, and hundreds of other United States families are in the process of adopting Russian children;

Whereas United Nations Children's Fund released a statement urging the Russia Government to ensure that ''the current plight of the many Russian children in institutions receives priority attention'' and that the Russia Government consider alternatives to institutionalization including ''domestic adoption and inter-country adoption'';

Whereas the United Nations, the Hague Conference on Private International Law, and other international organizations have recognized a child's right to a family as a basic human right worthy of protection;

Whereas the Christian Alliance for Orphans reports that United States families have opened their homes to more than 179,000 orphans from overseas in the last 20 years;

Whereas after China and Ethiopia, Russia is the third most popular country for United States citizens who adopt internationally;

Whereas adoption, both domestic and international, is an important child protection tool and an integral part of child welfare best practices around the world, along with prevention of abandonment and family reunification: and

Whereas more than 60,000 Russia-born children have found safe, permanent, and loving homes with United States families over the last two decades: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that all children deserve a permanent, protective family;

(2) values the long tradition of the United States and Russia Governments working together to find permanent homes for unparented children;

(3) disapproves of the Russia law ending inter-country adoptions of Russian children by United States citizens because it primarily harms vulnerable and voiceless children; and

(4) strongly urges the Russia Government to reconsider the law on humanitarian grounds, in consideration of the well-being of parentless Russian children awaiting a loving and permanent family, and prioritize the processing of inter-country adoptions of Russian children by United States citizens that were initiated before the enactment of the law.

AUTHORIZING DOCUMENT PRODUCTION

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 629, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 629) to authorize the production of records by the Committee on Armed Services.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, the Committee on Armed Services has received a request from the Secretary of the Air Force seeking access to records of the Committee relating to the Committee's consideration of the 1972 nomination of MG John D. Lavelle to retire at the rank of lieutenant general. That nomination was not confirmed. In 2010, the President nominated Major General Lavelle to be posthumously advanced on the retired list to the rank of general. After the Chairman of the Armed Services Committee requested further information regarding that nomination, the Air Force initiated an independent review of Major General Lavelle's case. That review is being led by the Honorable William H. Webster.

The Secretary of the Air Force requests that Judge Webster and those assisting him in the independent review be granted access to the Committee's executive session documents relating to the 1972 Lavelle nomination. The Chair and Ranking Minority Member of the Committee would like to be able to cooperate with this request by providing access to those conducting this independent review to the requested committee records.

This resolution would authorize the Chairman and Ranking Minority Member of the Committee on Armed Services, acting jointly, to provide records, under appropriate security procedures, from the Committee's 1972 consideration of the Lavelle nomination to those conducting the independent review of Major General Lavelle's case on behalf of the Air Force.

Mr. PRYOR. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD as if read.

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

The resolution (S. Res. 629) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 629

Whereas, the United States Air Force has initiated an independent review of the case of Major General John D. Lavelle, who has been nominated to be advanced posthumously on the retired list to the rank of general;

Whereas, the Committee has received a request from the Secretary of the Air Force that those conducting the independent review of Major General Lavelle's nomination be given access to the Committee's executive session documents relating to Major General Lavelle's 1972 nomination to the rank of lieutenant general on the retired list of the Air Force;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Armed Services, acting jointly, are authorized to provide, under appropriate security procedures, records from the Committee's executive sessions relating to Major General John D. Lavelle's 1972 nomination to those persons conducting the independent review of Major General Lavelle's case on behalf of the Air Force.

ORDERS FOR TUESDAY, JANUARY 1, 2013

Mr. PRYOR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Tuesday, January 1, 2013; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate proceed to a period of morning business until 3:30 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each.

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

ADJOURNMENT UNTIL 2:00 P.M. TOMORROW

Mr. PRYOR. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 2:31 a.m., adjourned until Tuesday, January 1, 2013, at 2 p.m.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. VISCLOSKY. Mr. Speaker, on December 30, 2012, I was absent from the House and missed rollcall votes 649, 650, and 651.

Had I been present for rollcall vote 649, on the motion to suspend the rules and pass, as amended, H.R. 3159, the Foreign Aid Transparency and Accountability Act, I would have voted ''yes.''

Had I been present for rollcall vote 650, on the motion to suspend the rules and concur in the Senate Amendment to H.R. 4057, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, I would have voted ''yes.''

Had I been present for rollcall vote 651, on the motion to suspend the rules and pass S. 3203, the Dignified Burial and Other Veterans' Benefits Improvement Act, I would have voted ''yes.''

HONORING THE REPUBLIC OF CYPRUS

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor the Republic of Cyprus as it finishes out its first rotation of the European Union Presidency. For a small country like Cyprus, this is a significant event in their history and I want to recognize one of their Presidency's major accomplishments.

I would like to thank Cyprus for successfully overseeing the implementation of new European Union sanctions that were imposed on Iran to target their nuclear and ballistic missile program. Iran continues to be a threat to the United States, Europe, and our closest ally in the Middle East—the Jewish State of Israel. These sanctions will go a long way towards ensuring further stability in the Middle East and helping Israel to maintain its security. These are the toughest sanctions yet to be imposed by the EU and I believe they will work in concert with those imposed by the U.S. Congress. Again, I'd like to congratulate the Republic of Cyprus for its oversight of this implementation and overall for a successful first rotation as EU President.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. GERLACH. Mr. Speaker, on December 30, 2012, I unfortunately missed three recorded votes on the House floor. Had I been present, I would have voted AYE on Rollcall 649, AYE on Rollcall 650, and AYE on Rollcall 651.

COMPETITIVENESS AND ADVANCED MANUFACTURING

HON. HANSEN CLARKE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. CLARKE of Michigan. Mr. Speaker, after decades of decline, American manufacturing is now on the rebound. The United States created nearly half a million manufacturing jobs between 2010 and 2012. This recovery is critical for cities like my hometown of Detroit and for America's economy as a whole, but sustaining it will require coordinated comprehensive action.

Thankfully, the nation can count on inspired and visionary leadership from both the public and private sectors to sustain the development of advanced manufacturing industries that create high-quality exports and well-paying jobs.

I commend President Obama's commitment to creating a million new manufacturing jobs by 2016 through new investments in technological research and development as well as sensible policies like the elimination of tax deductions for companies that outsource manufacturing overseas. I also commend important private sector voices who are leading the way to America's manufacturing renaissance.

Andrew Liveris, the head of Dow Chemical and author of Make It in America: The Case for Re-Inventing the Economy has argued persuasively for a new national economic strategy that rests on a range of innovative ideas. In particular, he calls for a more coherent and comprehensive approach to national energy policy and greater reliance on alternative energy sources. This is essential because the cost and volatility of traditional energy sources like imported oil are a major drag on the nation's industrial productivity. Mr. Liveris additionally calls for new investments in workers' skills in order to boost the nation's productivity and guarantee world-class living standards. An intellectual leader and prominent figure in American business, Mr. Liveris and his proposals should command respect and attention across the political spectrum.

The Council on Competitiveness—a nonprofit non-partisan coalition composed of CEOs, labor leaders, and university presidents—has likewise developed a vital and comprehensive proposal to spur American economic renewal. Their new report, ''A Clarion Call for Competitiveness,'' is a roadmap for Congress and the Administration to boost manufacturing and create well-paying jobs in the decades ahead. Among other recommendations, the Council urges federal leaders to double investments in technological research, increase efforts to commercialize America's scientific discoveries, strengthen apprenticeship programs for advanced manufacturing, speed-up the development of manufacturing ''clusters'' built around leading research centers around the nation, and ensure the quality of America's roads, bridges, and digital connections by authorizing the Export-Import Bank to fund domestic infrastructure projects.

These ideas—which come from both Democrats and Republicans and both private and public sectors—are unique in today's civic debate for a simple reason: they offer hope. I call on Congress to implement these innovative proposals in the 113th Congress for the sake of our workers, our businesses, and our nation's long-term economic future.

TRIBUTE TO RETIRED REAR ADMIRAL JAMES LLOYD ABBOT, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. BONNER. Mr. Speaker, I rise to pay tribute to the devoted service and the remarkable life of an American patriot and a great Alabamian, retired Rear Admiral James Lloyd Abbot, Jr., who passed away on August 10, 2012, at the age of 94.

A distinguished World War II veteran, a much-decorated Naval officer and leader in American exploration of Antarctica, James Lloyd Abbot, Jr., was born in Mobile on June 26, 1918. He attended Murphy High School, Spring Hill College and the U.S. Naval Academy. He graduated and was commissioned Ensign on June 1, 1939.

In 1939, he first reported for duty aboard the aircraft carrier USS Enterprise (CV–6), later transferring to the destroyer USS Gilmer (DD–233). In 1943, he assumed command of Scouting Squadron 66 and was awarded the Air Medal for meritorious achievement in action against enemy Japanese forces in the vicinity of the Gilbert and Marshall Islands from November 1943 through January 1944.

In May 1961, he became Commanding Officer of the USS Intrepid (CVA–11), which, under his command, won the Air Force, Atlantic Fleet Battle Efficiency Pennant for the fiscal year 1962. Under his command, the USS Intrepid was the recovery ship for Astronaut Scott Carpenter after his 3-orbit flight in May 1962.

In February 1967, shortly before advancing in rank to Rear Admiral, he assumed command of the U.S. Naval Support Force, Antarctica; charged with the responsibility of insuring the success and safety of all United

States operations on that continent. Under his command the first oceanographic study was conducted far into the ice-covered Weddell Sea. Furthermore, Palmer Station, which was successfully completed and opened by Rear Admiral Abbot on schedule in 1968, was the first permanent United States presence in the Antarctica Peninsula. The Abbot Ice Shelf in Antarctica was named in his honor.

His exemplary service, spanning nearly four decades, garnered him many medals commendations. In addition to the Legion of Merit with Gold Star, the Air Medal and the Navy Commendation Medal, Rear Admiral Abbot was awarded the American Defense Service Medal; American Campaign Medal; Asiatic-Pacific Campaign Medal; World War II Victory Medal; Navy Occupation Service Medal, Europe Clasp; the National Defense Service Medal with bronze star; and the Antarctica Service Medal.

After his retirement from the Navy in 1974, he returned to an active life in Mobile where he was a member of the USS Alabama Battleship Commission and Foundation and served on the Mobile Area Chamber of Commerce. In 2011, Rear Admiral Abbot was named Patriot of the Year by the Mobile Bay Area Veterans Day Commission. He was also the first inductee into the Murphy High School Hall of Fame.

On behalf of the people of Alabama, I wish to extend condolences to his sons, Retired U.S. Navy Captain J. Lloyd Abbot III, and retired U.S. Navy Admiral Steve Abbot, his five grandchildren, extended family and many friends. We will be forever indebted to his exemplary devotion to and service of our nation.

CORRECTING AND IMPROVING THE LEAHY-SMITH AMERICA INVENTS ACT

SPEECH OF

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Sunday, December 30, 2012

Mr. SMITH of Texas. Mr. Speaker, I submit the following.

SECTION-BY-SECTION SUMMARY

(a) Advice of Counsel. The AIA's section 17 created a new §298 of title 35 that bars the use of evidence of an accused infringer's failure to obtain advice of counsel, or his failure to waive privilege and introduce such opinion, to prove either willfulness or intent to induce infringement. Section 17, however, neglected to specify when this new authority became effective. As a result, §298 is subject to the default effective date at section 35 of the AIA, and applies only to patents issued one year or later after enactment of the AIA. This subsection makes §298 applicable to all civil actions commenced after the enactment of this Act.

(b) Transitional Program for CBMs. This subsection corrects two scrivener's errors in section 18 of the AIA. These changes have no substantive effect.

(c) Joinder of Parties. This subsection corrects a scrivener's error in the new §299 of title 35. This change has no substantive effect.

(d) Dead Zones. This subsection fixes two provisions that inadvertently make it impossible to seek either post-grant or inter partes review of a patent during certain time periods. Section 311(c) of title 35 bars anyone from seeking inter partes review of a patent during the first nine months after the patent issues, or until a post-grant review of a patent is completed if such review is instituted. Section 311(c) was intended to preclude challengers from using IPR during the period when they can instead use PGR. The problem with the provision is that, during Senate floor consideration of the AIA in March 2011, another provision was added to the bill via the managers' amendment that allows only first-to-file patents to be challenged in PGR. This provision, at section 6(f)(2)(A) of the AIA, was intended to allow USPTO a longer period to prepare to conduct PGR proceedings, and to exclude patents that raise discovery-intensive invention-date and loss-of-right-to-patent issues from PGR. However, §311(c) takes effect and applies to all petitions for IPR that are filed on or after September 16, 2012. Yet for several years thereafter, almost all patents that are issued will still be first-to-invent patents. And under §311(c) of title 35, these patents cannot be challenged in IPR during the first 9 months after their issuance, while under section 6(f)(2) of the AIA, these patents cannot be challenged in PGR. Paragraph (1) eliminates this nine month ''dead zone'' by making §311(c) inapplicable to patents that are first-to-invent patents and are thus ineligible for PGR.

Paragraph (2) addresses another dead zone that is unique to reissue patents. Under §311(c) of title 35, IPR cannot be sought during the nine months after a patent is reissued. This limit was imposed in order to force challengers to bring a PGR challenge (rather than IPR) against what is, in effect, a new patent. However, §325(f) of title 35 then bars a challenge to any claim in a reissue patent that is ''identical'' to or ''narrower'' than the claims in the original patent. As a result, such ''identical'' or ''narrower'' claims could not be reviewed in either a PGR or an IPR during the nine months after a reissue. Paragraph (2) eliminates this dead zone by repealing section 311(c)(1)'s limit on filing a petition for inter partes review after a patent has been reissued.

(e) Correct Inventor. This subsection amends the authorization of settlement in derivation proceedings to refer to ''correct inventor'' in the singular, out of recognition of the fact that it is the entire inventive entity that must be named in the settlement agreement. This change has no substantive effect.

(f) Required Oath. Paragraph (1) liberalizes the time allowed for an applicant to file the required oath or alternative statement, allowing him to file as late as payment of the issue fee (rather than requiring filing prior to allowance). Paragraph (2) corrects §115(g)(1) by using ''that claims'' rather than ''who claims,'' since the antecedent for these words is ''application'' rather than ''inventor.'' Paragraph (2)'s change has no substantive effect. (USPTO requests.)

(g) Travel Expenses and Payment of Administrative Judges. Section 21 of the AIA, which makes minor changes to the law regarding the compensation of USPTO employees for travel and the payment of APJs, was not given its own effective date. This subsection makes these provisions effective upon enactment of the AIA.

(h) Patent Term Adjustments. This subsection clarifies and improves certain requirements for seeking patent-term adjustments. These changes allow USPTO to provide notice of its PTA determination at the same time as the grant of a patent, and effectively require an applicant who wishes to pursue a civil action under paragraph (4)(A) of §154(b) to exhaust remedies provided under paragraph 3(B)(ii). These changes are minor, and only apply prospectively to PTAs that are determined and to §154(b)(4)(A) actions that are commenced after the enactment of this Act. (USPTO request.)

The Committee is aware that the district court for the Eastern District of Virginia, on November 1 of this year, issued a decision in the case of Exelixis v. Kappos that appears to have adopted a highly problematic interpretation of the patent term adjustment allowed by §154(b)(1)(B). For reasons that remain unclear, the court concluded that continuations and other events described in the ''not including'' clauses of that subparagraph should not be excluded from the subparagraph's calculation of patent term adjustment, but instead must be read only to toll the three-year clock that determines when patent term adjustment begins to accrue under subparagraph (B). The district court's interpretation of subparagraph (B) thus would allow patent term adjustment to accrue for any continued examination sought after the three-year clock has run. Such a result, of course, would allow applicants to postpone their patent's expiration date through dilatory prosecution, the very submarine-patenting tactic that Congress sought to preclude in 1994 when it adopted a 20-year patent term that runs from an application's effective filing date.

Despite the absurd and undesirable results that would appear to flow from the district court's interpretation, the Committee declines to address this matter at this time. This case was brought to the Committee's attention only very recently, precluding the thorough consideration and consultation that is appropriate before legislation is enacted. Moreover, Congress is not in the business of immediately amending the United States Code in response to every nonfinal legal error made by a trial court. The Committee, of course, reserves the right to address this matter in the future. In the meantime, the fact that the present bill does not amend §154(b) to address the Exelixis decision should not be construed as congressional acquiescence in or agreement with the reasoning of that decision.

(i) Improper Applicant. This subsection repeals an unnecessary limitation on who may file an international application designating the United States. (USPTO request.)

(j) Financial Management Clarifications. This subsection makes several technical changes to §42 of title 35, concerning USPTO funding. These changes: (1) ensure that the rule requiring that patent fees be spent for patent purposes also applies to RCE fees; and (2) ensure that all USPTO administrative costs will be covered by either patent fees or trademark fees. (USPTO request.)

(k) Derivation Proceedings. Currently, the third sentence of §135(a) will allow a derivation proceeding to be sought only within the year after the victim's claim that has been the target of derivation has published. It is possible, however, that a deriver could file first, but delay claiming the derived material until more than a year has elapsed after the victim's claims have published, in other words, until after the current deadline has lapsed. The changes made by this subsection preclude such a scenario by requiring the proceeding to be sought during the year after the publication of the deriver's claim to the invention. These changes also add a definition of ''earlier application'' to §135(a), correct inconsistencies in the AIA's version of §135(a), and authorize the PTAB to conduct, and the courts to hear appeals of, interferences commenced after the effective date of the AIA's amendments to §135(a). (USPTO request.)

(l) Terms of Public Advisory Committee Members. This subsection makes the terms of PPAC and TPAC members run for 3 years

from a fixed date (rather than from the date that they are appointed), and requires Chairmen and Vice Chairmen to be designated from among existing members. (Current law designates only a Chairman and gives him a 3-year term.) These changes will produce better coordination of members' terms, will allow experienced Chairmen to be appointed without requiring such individuals to serve two 3-year terms, and will provide for automatic replacement of a Chairman who does not complete his term of service. (AIPLA request.)

(m) Report on pre-GATT Applications. The URAA amendments took effect on June 8, 1995 but were made inapplicable to applications filed before that effective date. Unfortunately, a small number of applicants may have engaged in clearly dilatory behavior and continue to maintain pending applications with effective-filing dates that precede the URAA effective date.

It is highly unlikely that the 103d Congress ever conceived that its amendments to §154(a) would remain inapplicable to applications still pending in this Congress. The issuance of any such patent at this late date would be grossly prejudicial to the public. Many of these applications claim invention dates in the 1980s, and some even claim priority dates in the 1970s. To remove such technology from the public domain in 2012 would work a clear injustice on the public, and would bear no relation to the patent system's purpose of promoting the progress of science and the useful arts.

An earlier version of this Act included a provision that would have required these applicants to complete prosecution of these applications promptly after the enactment of the Act. To avoid controversy that might delay the enactment of this Act, the present Act substitutes the earlier proposal with a requirement that USPTO issue a report that will provide Congress and the public with relevant information about these applications. The Committee expects that the report will contribute to an understanding of whether these applications present special circumstances that require further legislative, executive, or judicial action in order to ensure transparency and protect the public's interests.

(n) Micro Entity Definition. This subsection corrects a scrivener's error in the AIA's definition of the ''micro entities'' that are entitled to a fee reduction. This change has no substantive effect.

(o) Default Effective Date. This subsection provides that the amendments made by this Act apply to proceedings commenced on or after the enactment of the Act, except where the provisions of the Act include their own effective date or modify an existing law's effective date.

OTHER ISSUES FOR FUTURE CONSIDERATION

Post-Grant Review Could-Have-Raised Estoppel. The version of post-grant review that was enacted by the Leahy-Smith America Invents Act bars a petitioner who completes such a review from challenging any of the claims of the patent that were reviewed in the proceeding on any ground that the petitioner ''could have raised'' in the post-grant review. Although this broad estoppel first appeared in the bill that was reported by the House Judiciary Committee in June 2011, no amendment adopted by the committee authorized such a change. The change appears to have been made by staff charged with making technical corrections to the bill, who apparently assumed that the omission of could-have-raised estoppel in §325(e)(2) was an oversight.

The application of a civil-litigation could-have-raised estoppel to PGR would cripple that proceeding if it is not corrected. All validity issues can be raised in PGR, and must be raised during the first nine months of the patent's life and without the benefit of discovery. Thus if could-have-raised estoppel were applied to PGR, a PGR challenger would effectively have to waive the possibility of raising any validity defense against the patent if he is later sued for infringement—and all without an opportunity to adequately investigate enablement and other discovery-intensive issues. In order to ensure that the post-grant review system that USPTO has recently implemented does not simply become a white elephant, it is important that this scrivener's error be corrected in the future. And, lest anyone suggest that the correction of this error is properly regarded as controversial, allow me to note that this correction would simply conform the PGR estoppel provisions to those of the bill that passed the Senate on March 8, 2011, by a vote of 95–5.

DEPARTMENT OF STATE REWARDS PROGRAM UPDATE AND TECHNICAL CORRECTIONS ACT OF 2012

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Sunday, December 30, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise as a cosponsor of the State Department Rewards Program Update Act to thank my House colleagues Representatives BERMAN and ROS-LEHTINEN for their collaboration on the bill and also to thank Senator KERRY for introducing and managing the Senate companion.

This measure expands on the authority of the State Department to issue rewards for information that leads to the arrest and conviction of people accused of the commission of armed terrorist attacks, drug trafficking, cybercrimes, animal poaching and transnational organized crimes. I added my name as a cosponsor to the bill because I hoped it would contribute to existing international efforts to capture Joseph Kony, the guerrilla leader of the Lord's Resistance Army who has abducted, tortured, abused and forced thousands of children into a life of brutal violence and sexual slavery. Though one of Kony's top lieutenants has been captured, Kony remains on the run.

With the passage of this measure, more resources will be made available to help bring him to justice. I encourage my colleagues to join me in support of the bill.

IN TRIBUTE TO MY STAFF

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to the men and women who work day after day, and often on nights and weekends, that I may best serve the people of California's 24th Congressional District.

During my 26 years in Congress, I have hired the best self-starters I could find who have a proven track record of caring for the people for whom they serve. As a result, I have one of the smallest staffs of any Member of Congress. As proof of their dedication and professionalism, I also have one of the lowest turnover rates of any Member of Congress.

My district director, Paula Sheil, started with me in 1972 in the private sector and has run my district office since I was first elected to Congress. In addition to running the day-to-day operations of my district office, Paula brings me back to earth and redirects my energies when I get off-kilter.

As my district chief of staff for 20 years, Brian Miller served as my surrogate in the district when I was in Washington, DC. He knows everyone, everyone knows him, and he has been instrumental in my knowledge of the needs and concerns of the county, cities, districts, organizations and individuals throughout the district.

Tina Cobb has been handling my casework for 20 years. If a constituent has a problem and Tina can not solve it, it cannot be solved. She knows the ins and outs of our Federal agencies and can cut through red tape like no one else.

Myrna Vafee joined my district staff 6 years ago. In addition to doing case work, Myrna does all the chores necessary to keep an office running, from sorting mail to greeting constituents. Her smile immediately puts people at ease.

Thomas Widroe has been my deputy district director for 2 years, working from my Solvang office and acting as my eyes and ears in the North County.

Joel Kassiday has been my chief of staff in Washington, DC, for 11 years. Joel is the epitome of efficiency. I have learned to be very careful before I ask Joel to undertake a task because he has it done before you have a chance to change your mind.

Marianne Brant, my executive assistant, has been with me for 6 years. Marianne's primary responsibility is to maintain my schedule and to make sure I am where I am supposed to be. There probably is no tougher job in a congressional office and Marianne does it with poise, efficiency, and an ever-present smile.

Richard Mereu, my chief counsel and administrative assistant, has been a trusted advisor for 18 years. He has served as my staff director on the subcommittees I've chaired on both the Foreign Affairs and Judiciary committees, in addition to advising me on a wide range of legislative issues.

Tom Pfeifer joined my staff 14 years ago after 15 years as a journalist in my district. Tom's knowledge of the media, the people, the issues, and the politics of the district has made him a valuable resource in my D.C. office.

Cecilia Daly has been my legislative counsel for 6 years. Cecilia is a master researcher who takes great pleasure in tutoring our interns on that skill.

Kenneth Steinhardt first came to my office as an intern and came to work for me full time 7 years ago. Kenny is a bulldog on legislation. He builds coalitions on and off the Hill to move a bill and does not let up.

RJ Hauman is my newest staff member. As staff assistant, he is often the first person a constituent interacts with in my D.C. office.

Mr. Speaker, this is just my current staff. I have had many other great staffers over the years, but to try to name them all would take too long. Suffice it to say that I am grateful for their service as well. These are the best of the

best, and I know my colleagues join me in thanking them for their service and in wishing them well in their new endeavors.

DAWSON, YOU ARE SO AWESOME, YOU ARE SO DAWSOME, AS CAN BE! IN HONOR OF DAWSON COX AND HIS COURAGE AND HIS BATTLE

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. FORTENBERRY. Mr. Speaker, I would like to recognize one of Lincoln, Nebraska's most courageous sons, and one of my constituents, Dawson Cox. I had the honor to take him and his sisters Stevie and Nessa on the floor of the House during our vote, and spend time with him and his family. Dawson's Make A Wish, was to come to Washington D.C. and visit the new Dr. King Jr. Memorial, and to stand on the very spot where the I Have A Dream speech was given. Dr. King is his hero. And Dr. King would be proud of Dawson too for his courage! Dawson toured the Capitol, and met many members of Congress and one of the House's true Icon's JOHN LEWIS. Congressman LEWIS, is the only surviving member left who spoke on that day. His new friend Bert, was so impressed with his courage and faith, and his spirit, that he penned this poem in his honor. Our prayers and our thoughts go out to Dawson and his family, during his most courageous battle.

DAWSON, YOU ARE SO AWESOME, YOU ARE SO DAWSOME, AS CAN BE!

Dawson!
You are so Awesome!
You are so Dawsome!
As Can Be!
You're Major ''D''!
For you are one of Nebraska's,
most courageous of all sons so to be!
Yea, you are a Husker!
Who can so muster!
The will and the courage,
and the faith to so overcome!
To Fight The Good Fight!
As Thy Will Be Done!
With all of your might!
For inside of you, but shines such a light!
For You are Major!
You're Major ''D'', and yet your so young!
And mini me, you so complete me!
You see,
because heroes come in all shapes and sizes,
but it's all about what's within their hearts,
that which so comprises . . .
Of what they so can be!
He's The Man!
Even Washington has his initials DC,
Dawson Cox understand!
Because, In The Game of Life . . .
Dawson, you are a winner so very bright!
And if ever I had a son,
I so wish that he could be like you this one!
With that smile,
that tells me all the while,
that the heart of a champion so beats in this one!
And when you walked on that House floor,
they say the ratings on Cspan shot up so much more!
That's because you are Major ''D''!
And you are so Awesome Mr. Dawson can't you see!
For you are as brave as can be,
as any Navy, Air Force, Army, or United States Marine!
Because,
you and your families just like them and theirs,
fight a war and the good fight continually!
For you are all so much alike in so many ways!
And yet Dawson,
you are just a little boy!
Who out of such heartache can still find so much joy!
And yet,
already so much you so understand!
And what we could so learn from you,
if we but so walked hand in hand!
If Dr. King,
is a King Among Men!
Then, you Dawson . . .
are but a Prince Among Children!
For he's for MLK Jr.,
all the way
Heroes,
our children should not so have to be,
but sometimes this is what our Lord has chosen for us to teach!
To be inspired!
To take and lift our hearts higher!
To show us all that against all odds they never tire!
All in their profiles of courage don't you see?
And to remind us to hold our families close!
To so remember what so but means the most!
And to against all odds to always so believe!
And, that is why . . .
with tear in eye Dawson you so complete me!
Dawson!
You Are So Awesome!
You Are So Dawsome!
So Dawsome As Can Be!
Because,
it's with your heart you so run!
On earth as it will be in Heaven,
as Thy Will Be Done!
And that smile,
and that wit,
and that mind,
so very creative and so quick I'll carry with me every day!
Because, you are my new best friend. . .
Dawson, your Major ''D'' . . .
And you are as Awesome as Awesome so can be!

CONFERENCE REPORT ON H.R. 4310—THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Ms. MCCOLLUM. Mr. Speaker, I am deeply disappointed that I must rise in opposition to the Conference Report on H.R. 4310, the FY13 National Defense Authorization Act. America's men and women in uniform deserve, and Congress must pass, legislation that provides them with the resources they need to preserve our national security. Unfortunately, this bill does not reflect the range of 21st-Century threats the United States must prepare for, nor does it reflect the urgent fiscal crisis this Congress must address. What this massive $633 billion defense bill does reflect, however, are disastrously misplaced priorities.

On May 10th of this year, House Republicans passed the Sequester Replacement Reconciliation Act (H.R. 5652), which exempts the Pentagon from $55 billion in automatic spending cuts agreed to in last year's Budget Control Act (P.L. 112–25). How did they propose to do it? By cutting over $310 billion from domestic programs. These were cuts to nutrition assistance programs for low-income seniors, people with disabilities, and working families; cuts that will deny more than 200,000 low-income children their school lunches; cuts to the Meals on Wheels program critical to disabled seniors, and cuts to programs that protect vulnerable and abused children. These will have a real and severe impact on American families. Instead of asking the Pentagon to make tough choices and eliminate wasteful spending programs, House Republicans would rather balance the budget on the backs of our Nation's most vulnerable citizens.

Here is just one example of Pentagon spending that House Republicans are protecting by cutting programs for low-income children, seniors, and working families: in this fiscal year, the Department of Defense plans to spend $389 million for its 150 military bands and more than 5,000 full-time, professional military musicians. This is a prime example of excessive military spending that we simply do not need, and can no longer afford. Earlier this year, the House passed my bipartisan amendment to this bill limiting the amount the military spends annually on military bands to no more than $200 million—not an insignificant sum. I am very disappointed to see that this language was not included in the Conference Report. This smart cut would have continued to provided $200 million for military bands in fiscal year 2013, ensuring that America would maintain its strong tradition of military bands, while saving taxpayers $2 billion over the next decade.

Lastly, the Conference Report does virtually nothing to correct the civil liberties abuses passed in last year's defense authorization bill. House and Senate Conferees stripped a bipartisan amendment offered by Senators FEINSTEIN (D–CA) and Senator LEE (R–UT) which would have helped ensure that no one can be denied a fair trial and detained indefinitely when they are captured in the United States. I am appalled that this commonsense amendment to protect the most basic American civil liberties was not included in the legislation before us today.

Mr. Speaker, there are several positive provisions of this bill that I support, including the continuance of DOD clean energy programs, lifting restrictions on servicewomen's access to reproductive health care, and addressing military sexual assault. It also takes steps that would help eliminate hazing in the military and prevents any increase in new TRICARE fees. Unfortunately, the underlying legislation contains too much wasteful spending and does not correct the egregious human abuses that were part of the fiscal year 2012 bill.

One of our primary duties as Members of Congress is to provide the resources and policy guidance necessary to protect our Nation. We must make certain that every dollar in this bill contributes to our national defense. It is time for tough choices and smart cuts that save taxpayer dollars, even at the Pentagon. Wasteful and excessive Pentagon spending is no longer acceptable as low income families, seniors, and disabled Americans to go without the critical services.

I urge my colleagues oppose this legislation.

RICHARD ARMEY'S $8,000,000 GOLDEN PARACHUTE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. FRANK of Massachusetts. Mr. Speaker, given the role that former Majority Leader Richard Armey has played in significantly increasing the role in militant conservatives in the Republican party, the article in the Washington Post on December 25 is important information that all Members should know.

[From The Washington Post, Dec. 25, 2012]

FREEDOM WORKS TEA PARTY GROUP NEARLY FALLS APART IN FIGHT BETWEEN OLD AND NEW GUARD

(By Amy Gardner)

The day after Labor Day, just as campaign season was entering its final frenzy, FreedomWorks, the Washington-based tea party organization, went into free fall.

Richard K. Armey, the group's chairman and a former House majority leader, walked into the group's Capitol Hill offices with his wife, Susan, and an aide holstering a handgun at his waist. The aim was to seize control of the group and expel Armey's enemies: The gun-wielding assistant escorted FreedomWorks' top two employees off the premises, while Armey suspended several others who broke down in sobs at the news.

The coup lasted all of six days. By Sept. 10, Armey was gone—with a promise of $8 million—and the five ousted employees were back. The force behind their return was Richard J. Stephenson, a reclusive Illinois millionaire who has exerted increasing control over one of Washington's most influential conservative grass-roots organizations.

Stephenson, the founder of the for-profit Cancer Treatment Centers of America and a director on the Freedom Works board, agreed to commit $400,000 per year over 20 years in exchange for Armey's agreement to leave the group.

The episode illustrates the growing role of wealthy donors in swaying the direction of FreedomWorks and other political groups, which increasingly rely on unlimited contributions from corporations and financiers for their financial livelihood. Such gifts are often sent through corporate shells or nonprofit groups that do not have to disclose their donors, making it impossible for the public to know who is funding them.

In the weeks before the election, more than $12 million in donations was funneled through two Tennessee corporations to the FreedomWorks super PAC after negotiations with Stephenson over a preelection gift of the same size, according to three current and former employees with knowledge of the arrangement. The origin of the money has not previously been reported.

These and other new details about the near-meltdown at FreedomWorks were gleaned from interviews with two dozen current and past associates, most of whom spoke on the condition of anonymity in order to talk freely.

The disarray comes as the conservative movement is struggling to find its way after the November elections, which brought a second term for President Obama and Democratic gains in the House and Senate. Armey said in an interview that the near-meltdown at his former group has damaged the conservative cause.

''Freedom Works was the spark plug, the energy source, the catalyst for the movement through the 2010 elections,'' Armey said, referring to the GOP midterm sweep. ''Harm was done to the movement.''

Stephenson, 73, declined a request for an interview. Matt Kibbe, the group's president, and Adam Brandon, its senior vice president, declined to discuss the issue.

''I don't comment on donors,'' Brandon said. ''He's on our board, he's a board member like anyone else. That's it. I see him at board meetings.''

Stephenson, a longtime but little-known player in conservative causes, is a resident of Barrington, Ill., a northwest suburb of Chicago known for its affluence and sprawling horse estates such as his Tudor Oaks Farm. He founded the Cancer Treatment Centers of America in 1988 following his mother's death from bladder cancer, according to the for-profit company's Web site and his public remarks. Stephenson also holds investments in a broad portfolio of other businesses, including finance and real estate companies.

Stephenson has a passion for libertarian politics stretching back to the 1960s, when he attended seminars featuring ''Atlas Shrugged'' author Ayn Rand and economist Murray Rothbard, according to those who know him at FreedomWorks. Like Armey, Stephenson was an early supporter of Citizens for a Sound Economy, the conservative lobbying group founded by oil billionaires Charles and David Koch in 1984 that split into Freedom Works and Americans for Prosperity 20 years later. The Kochs, known for bankrolling a variety of conservative causes, kept control of AFP, while Stephenson and Armey stayed with FreedomWorks.

FreedomWorks has been on a remarkable run in recent election cycles, growing its annual budget from $7 million to $40 million in just a few years and helping lead the tea party movement against Obama's agenda. The group was among several that rose up last week in opposition to a failed proposal from House Speaker John A. Boehner (R–Ohio) to raise federal taxes on millionaires.

The group played a crucial role in ushering a wave of tea party candidates into office in recent years, staging rallies, hawking books and videos, and organizing media appearances with conservative personalities such as Glenn Beck and Rush Limbaugh.

''I've enjoyed my association with FreedomWorks,'' said Sen. Mike Lee (R–Utah), who defeated incumbent Bob Bennett with help from the group. ''Matt Kibbe and Dick Armey endorsed me early in my candidacy for the U.S. Senate, and they were a big help to me.''

Despite such testimonials, FreedomWorks has struggled with accusations that it is an ''astro-turfer''—a national organization of big-money donors that swept in to lay claim to an independent movement.

According to public records, FreedomWorks received more than $12 million before the election from two corporations based in Knoxville, Tenn.: Specialty Investments Group and Kingston Pike Development. The firms were established within a day of each other by William S. Rose III, a local bankruptcy lawyer.

Rose, who could not be reached for comment, has said publicly he would not answer questions about the donations. But according to three current and former FreedomWorks employees with knowledge of the donations, the money originated with Stephenson and his family, who arranged for the contributions from the Tennessee firms to the super PAC.

Brandon, FreedomWorks' executive vice president, told colleagues starting in August that Stephenson would be giving between $10 million and $12 million, these sources said. Brandon also met repeatedly with members of Stephenson's family who were involved in arranging the donations, the sources said.

Stephenson attended a FreedomWorks retreat in Jackson Hole, Wyo., in August at which a budget was being prepared in anticipation of a large influx of money, according to several employees who attended the retreat. At the retreat, Stephenson dictated some of the terms of how the money would be spent, the employees said.

''There is no doubt that Dick Stephenson arranged for that money to come to the super PAC,'' said one person who attended the retreat. ''I can assure you that everyone around the office knew about it.''

Among other things, Stephenson wanted a substantial sum spent in support of Rep. Joe Walsh (R-Il1.), a tea party favorite and Stephenson's local congressman, several who attended the retreat recalled. Walsh garnered national headlines during the campaign when he questioned whether his opponent, Tammy Duckworth, a former Blackhawk helicopter pilot who lost both legs in Iraq, was a ''true hero.'' Despite internal misgivings about the value of the investment, FreedomWorks spent $1.7 million on ads supporting Walsh; he lost the race.

Two watchdog groups last week asked the Federal Election Commission and the Justice Department to investigate the donations from the two Tennessee companies. The groups, Democracy 21 and the Campaign Legal Center, say the arrangement could violate federal laws that prohibit attempting to hide the true source of a political contribution by giving it under another name. (Brandon declined to comment on the complaints, but he said the group's books were in order.)

PARTNERSHIP UNRAVELS

For years, FreedomWorks was headed by an unlikely duo: Armey, 72, the old-guard poi who wears a black cowboy hat even when he's not on his Texas ranch, and Kibbe, 49, who sports mutton-chop sideburns and has a passion for the Grateful Dead.

But the most important relationship appears to be the bond between Kibbe and Stephenson, who bridged their age gap through shared libertarian views and Kibbe's battle with testicular cancer a decade ago, Armey and others said. They said Kibbe, after being given a terminal diagnosis, was encouraged by Stephenson to get treatment at his cancer clinics; more than a decade later, they said, he is cancer-free.

Until this year, the partnership between Kibbe and Armey worked well. Armey's renown as a former House member drew media attention and crowds of conservative activists—most of them old enough to remember Armey's role in the Republican revolution in Congress in 1994. And Kibbe's youthful intellectualism drew a new generation of libertarian soldiers into the FreedomWorks fold. In 2010, the two co-wrote a book, ''Give Us Liberty: A Tea Party Manifesto,'' that became a New York Times bestseller and a successful marketing tool for FreedomWorks, which collected the book's proceeds and used it to attract donations.

The partnership came to a crashing end when Armey marched into FreedomWorks's office Sept. 4 with his wife, Susan, executive assistant Jean Campbell and the unidentified man with the gun at his waist—who promptly escorted Kibbe and Brandon out of the building.

''This was two weeks after there had been a shooting at the Family Research Council,'' said one junior staff member who spoke on the condition of anonymity because he was not authorized to talk to the media. ''So when a man with a gun who didn't identify himself to me or other people on staff, and a woman I'd never seen before said there was an announcement, my first gut was, 'Is Freedom Works in danger?' It was bizarre.'?''

By nearly all accounts, including from those loyal to him, Armey handled his attempted coup badly. Armey says he was stepping in because of ethical breaches by Kibbe

and Brandon, accusing them of improperly using FreedomWorks staff resources to produce a book—ironically, named ''Hostile Takeover''—for which Kibbe claimed sole credit and was collecting royalties. The use of internal resources for Kibbe's benefit could jeopardize the group's nonprofit tax status; the group denies any impropriety.

''This is not only about this one incident,'' Armey said. ''But that one incident was a matter of grievous concern.''

Armey also accused Brandon, Kibbe and other staff members loyal to them of squeezing him out of media appearances and management decisions while using his name to market the group.

Armey appeared out of touch and unsure of how FreedomWorks operated when he took over that Tuesday morning, according to interviews with more than a dozen employees on both sides who witnessed the takeover. Sitting in a glass-walled conference room visible to much of the staff, he placed three young female employees on administrative leave, then reversed himself when they burst into tears; his wife lamented aloud that maybe they had ''jumped the gun.''

In subsequent meetings, Susan Armey passed her husband notes that several employees assumed contained suggestions on what to say. According to a recording of a staff conference call provided to The Washington Post, Armey bewildered his audience by demanding more FreedomWorks support for Todd Akin, the Missouri Republican whose Senate campaign had already cratered after his comments about ''legitimate rape.''

''It was clear that under Armey's leadership, the organization as we knew it was going to be driven into the ground,'' said one junior employee.

Enter Stephenson, who agreed to the multimillion-dollar financial incentive to push Armey out and install Kibbe back at the helm.

The payments were necessary, several FreedomWorks leaders said, because Armey was threatening to sue over Kibbe's book deal.

''It was very clear to him that I would not work with Matt,'' Armey said, referring to Stephenson. ''He felt that Matt knew the levers and understood it better than I did and was very urgent to reinstate that.''

Brandon, back in the No. 2 spot as executive vice president, scoffed at the notion that the group is in trouble or that the dispute with Armey was indicative of a larger problem for the tea party. He said Freedom Works has 2.1 million members, nearly 4 million fans on Facebook and a budget that has grown sixfold in five years. He also pointed to the elections of Senate conservatives Ted Cruz in Texas and Jeff Flake in Arizona as evidence of the group's electoral success.

''We doubled our budget, and we doubled our membership,'' Brandon said, referring to the group's growth since 2011. ''That's how we ended up the year.''

(Alice R. Crites contributed to this report)

MILLIONS FORGO FORECLOSURE REVIEWS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Ms. KAPTUR. Mr. Speaker, this is the article I referred to in my one-minute speech this morning.

(From USA Today)

MILLIONS FORGO FORECLOSURE REVIEWS (HOMEOWNERS DON'T HAVE MUCH TIME TO ASK FOR ACCURACY CHECKS)

(By Julie Schmit)

Millions of homeowners who were in foreclosure in 2009 or 2010 could miss a chance to have their cases reviewed for errors—and possible compensation—if they don't act by Monday.

That's the deadline for eligible homeowners to request a free review required by a settlement last year between federal bank regulators and 14 mortgage servicers and their affiliates. The deadline has been extended three times due to poor response from homeowners.

More than 4 million notices were mailed a year ago informing homeowners of their right to a review, but only 356,000 had asked for one by Dec. 13, according to the Office of the Comptroller of the Currency.

Compensation could range from hundreds of dollars to more than $100,000, the OCC has said. It is overseeing the settlement with the Federal Reserve.

Requests must be submitted at independentforeclosurereview.com or be postmarked no later than Monday, the OCC says. Answers to questions can be found on the website or by calling 888–952–9105.

''The (response) numbers are not terribly impressive,'' says Bruce Mirken of the Greenlining Institute, a consumer advocacy group.

Greenlining, like other consumer groups, says borrowers may still not be aware of the review opportunity.

Notification materials—including the 4 million letters—may have been ignored because they were written in legal jargon, were hard to read and looked too much like those used in foreclosure scams, says James Can, a senior policy fellow with the Opportunity Agenda, a non-partisan think tank. A Government Accountability Office report in June echoed those concerns.

The settlement followed a federal probe in which regulators found significant weaknesses in foreclosure processes, including improper foreclosure document preparation.

To meet regulators' deadlines, the GAO noted that servicers had just 60 days to develop outreach materials. That didn't leave time to test them with focus groups, one servicer representative told the GAO.

About 95% of the letters were successfully delivered, the OCC has said.

The reviews are intended to address a wide range of foreclosure errors, including excessive fees, wrongly denied loan modifications, misapplied payments or wrongful foreclosures. Borrower restitution will vary by case and financial harm, the OCC says. It's provided no cost estimate to servicers. No one has yet received restitution, OCC spokesman William Grassano says.

The requested reviews are in addition to 159,000 reviews being done, as part of the same settlement, by consultants hired by the servicers, Grassano says.

The Monday deadline should be lifted and review requests should be allowed as needed, the community groups say, especially since more recent outreach efforts have been more consumer friendly.

The reviews are separate from a $25 billion settlement, reached between five servicers and, state and federal officials, that's also meant to address past foreclosure abuses.

IN TRIBUTE TO PUSHMATAHA COUNTY HISTORICAL SOCIETY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to the Pushmataha County Historical Society in Antlers, Oklahoma, and in particular Myrtle Edmond and Madge Jentry.

As historical societies go, the Pushmataha County Historical Society is relatively new, having been founded in 1984. But the Society's staff and volunteers know their town, its history, its people, and their place firmly rooted in the heart of America.

My family hails from the Antlers, Oklahoma, area. When I was a young boy, I would travel by train, arriving and departing from the Frisco Depot, which now houses the Pushmataha County Historical Society. Myrtle Edmond and Madge Jentry were at the Society headquarters when my wife, Janice, and I stopped by on a recent trip and asked a few questions about my ancestors. Myrtle and Madge responded by enthusiastically researching everything they could find on the Gallegly and Williams family branches. Myrtle even wrote down, by hand, all their research in great detail and gave it to me.

In addition, Myrtle had previously served on the society's cemetery identification project and helped identify and inventory almost 12,000 burials and grave sites at approximately 119 locations. With that information, she was able to locate the gravesites of my grandparents and many other relatives.

The wealth of information Myrtle and Madge were able to provide on my family is even more impressive when one considers that the county courthouse burned during the Great Depression. Society volunteers have painstakingly rebuilt ancestral records from U.S. Census, newspapers, and other items in the historical record.

Mr. Speaker, Antlers, Oklahoma, is America. It has seen its share of hardship yet continues to bounce back. One of the most devastating tornadoes in the history of the state struck Antlers on April 12, 1945. Out of a population of 3,000, 55 were killed, including my uncle, Dennis Dixon Gallegly. One third of the city was demolished. The city has suffered devastating fires. Floods have washed away homes, but they can't wash away Antlers, or the spirit of its people.

Mr. Speaker, the pride Myrtle Edmond and Madge Jentry have in their community and in America was evidenced in their enthusiastic research of my family's roots. I know my colleagues join Janice and me in thanking them and all the Pushmataha County Historical Society volunteers for preserving and celebrating their part of our nation's history through dedication, passion, and professionalism. They are preserving the heart of America.

THE PARK SCHOOL CENTENNIAL

HON. KATHLEEN C. HOCHUL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Ms. HOCHUL. Mr. Speaker, it is my honor to congratulate The Park School of Buffalo on

recently commemorating its Centennial. In 1912, a group of parents embarked on a truly remarkable journey by making a commitment to promote excellence in education with an emphasis on the personal development of their students.

Over the past 100 years, The Park School has carried out its mission of building a diverse and creative community that nurtures the joy and responsibility of active learning for all. From its founders, John Dewey and Mary Hammett Lewis, to the current administration, Park has truly left its mark on Snyder and the Western New York community.

I am confident that The Park School will continue its mission of educating our youth and strengthening our community as successfully over the next 100 years.

IN HONOR OF COMMANDER HALSEY ''BULL'' KEATS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor Commander Halsey ''Bull'' Keats upon his retirement from the United States Navy, where he served 20 years. CDR Keats completed four deployments throughout the world which have included ports in over 12 countries. During Enduring Freedom, he was the only Lieutenant Commander who stood in the ship's Captain during combat flight operations, and during Operation Iraqi Freedom he was selected to lead the first ever deployment of the Real-Time Sensor Data Link ground station to Camp Victory, Baghdad, Iraq providing the Commanding General tactical control over the Surveillance System Upgrade S–3 which boasted a streaming video capability.

CDR Keats was selected as the Naval Flight Officer of the Year in 1997. In 2004 he graduated from the Operational Planners Course with distinction at the Naval War College in Newport, Rhode Island. He has logged over 2,000 flight hours. For his exemplary service CDR Keats has received the Defense Meritorious Service Medal, Navy Meritorious Service Medal, Navy Commendation Medal, Navy and Marine Corps Achievement Medal, in addition to numerous unit commendations.

His final tour was Chief, Special Activity plans at U.S. Central Command Operations Directorate from July 2010 through his retirement on 1 April 2013.

Mr. Speaker, Commander Keats exemplifies all of the best qualities of a United States Naval Flight Officer. We have known each other for over thirty years. We worked together as young men back in Bucks County, Pennsylvania where his parents still do reside. Cmmdr. Keats is an outstanding husband and father and he has served his Nation with distinction.

I am honored to be able to stand here today and recognize him for his many years of service.

CENTENNIAL ANNIVERSARY OF THE CITY OF REDMOND

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. REICHERT. Mr. Speaker, as the two members who have the honor of representing this city today and in the future, I rise with my colleague Representative SUZAN DELBENE to honor the centennial anniversary of the City of Redmond, celebrated today, December 31, 2012.

First incorporated in 1912, eligible thanks to the birth of its 300th citizen, Redmond began as a small logging community. A century later, it has turned into a vibrant urban center of 55,000 that still maintains its strong sense of community and is proud of its small-town feel.

Over the last century, Redmond has evolved from logging town, to a small bedroom community east of the big city, to a bustling city in itself. Today, it's home to some of the most prominent high tech companies in the world. Redmond's tremendous growth has been fueled by the pioneering, entrepreneurial spirit of the town's first settlers and, in the century since, has attracted and inspired generations of Washingtonians to turn Redmond into a premier economic engine for the 21st century.

With all this growth and change, Redmond continues to maintain a deep sense of friendship and community. For example, Mr. Speaker, the Redmond Derby Days, a city celebration that grew out of a bicycle race among local paperboys after the depression, is going strong after 70 years. The Derby Days are bigger and better than ever and today, the signature event has the honor of being the nation's longest running bicycle race.

Over the last few years, we have both enjoyed participating in so many activities and events in beautiful Redmond and are honored to represent the great people of this city.

With the further expansion of mass transit, Redmond has an amazing opportunity to continue its growth and impact neighboring cities. Together with Seattle and environs, its influence contributes to form a region that is vibrant, attractive for business and a great place to live, work and raise a family. As Mayor Marchione, along with all of Redmond's dedicated City Council members, continue to build on Redmond's rich history, we look forward to watching and aiding with the city's success in years to come.

Mr. Speaker, Representative DELBENE and I again offer congratulations to the City of Redmond for a wonderful, rich first century and together wish them the best as they move into their second century of prosperity.

HEALTH RELATED MATTERS FOR MY COLLEAGUES IN CONGRESS TO CONSIDER IN 2013

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. BURTON. Mr. Speaker, as we close the 112th Congress and I prepare to retire from Congress, I would like to leave a few comments regarding health related matters for my colleagues who will return to the 113th Congress. Throughout my decades in public service, I have strived to give consideration to those whose issues fall through the cracks of our government, and to those who become targets of government authorities for daring to deliver or seek alternative therapies.

Complementary and Alternative Therapies: While Chairman of the Committee on Oversight and Government Reform, I initiated a comprehensive evaluation of the role of complementary and alternative therapies in our health care system. During this time we heard from researchers, practitioners, and patients about the value that complementary and alternative therapies can play in our health system. These therapies include acupuncture, massage therapy, traditional healing systems from various cultures around the world such as Traditional East Asian Medicine, Kampo, Native American Medicine, Homeopathy and energy therapies such as QiGong and Reiki as well as the use stress management tools and nutrition and dietary supplements. These also include conventional therapies used for purposes not yet recognized as mainstream such as Chelation Therapy for cardiovascular benefit.

I hope my colleagues in 2013 will continue to protect access therapies and products so that Americans can continue to make their own choices in health care and retain their health freedom. I also believe a hard look at the management of resources provided to these issues is overdue. For instance, the first ever head to head research study looking at an alternative cancer treatment for pancreatic cancer as compared to the mainstream therapy was an absolute management disaster. Ten years, millions of dollars, and several federal investigations validating violations of patient protections by the academic conventional cancer therapy principal investigator has been swept under the rug by the National Institutes of Health's National Cancer Institute and the National Center for Complementary and Alternative Medicine. Too often, I hear that the studies that are funded, especially those on herbs are ''designed to fail''. After 20 years and more than a billion dollars, too little quality research on the therapies Americans are most interested has in has been conducted. When my colleague Senator TOM HARKIN gave the initial instruction to the National Institutes of Health to ''investigate and validate'' therapies being used around the world, we all envisioned an aggressive campaign to go into the field and look at what is working an report this to the American people. Former Congressman Berkley Bedell championed this issue after being successfully treated with alternative therapies for Lyme disease and Prostate Cancer. Much good has been accomplished, but better work can and should be done.

In early 2013, the results of a national multisite Chelation Therapy study will be published. I hope my colleagues will review this study and look to the history of how doctors who have provided this therapy have been attacked for daring to use a therapy approved decades ago by the Food and Drug Administration to treat heavy metal exposure in children ''off label'' for cardiovascular benefit. Medicine is increasingly recognizing that exposure to lead, mercury and other heavy metals have on the body including the cardiovascular system. Chelation Therapy may be improving

cardiovascular health by removing heavy metals. This study was attacked by closed-minded individuals who oppose chelation therapy and all alternative therapies. Sadly, we have lost a decade in looking at the benefits of chelation therapy in children as the National Institutes of Health reneged on its promise to conduct a study at the Clinical Center on chelation therapy in the pediatric population. The American people deserve honest inquiry into chelation therapy for all its possible benefits.

Keep in mind, 1 in 6 women of childbearing age are carrying a higher than normal body burden of mercury, and mercury is the second most toxic substance on the planet. Mercury in all its forms can be harmful especially to babies in the wound and in the first years of life.

We first became aware of mercury in vaccines after the FDA was required by our body to conduct an inquiry on the amount of mercury in the products they regulated. A new inquiry is due in 2013 to determine the amount of mercury still in all FDA regulated products. Congress will once again need to require this of the FDA. I am disturbed that in 2013 we continue to have mercury in any form in medicines and in other products Americans routinely use without the knowledge they are exposing their families to mercury. It is a travesty that public health authorities have discounted the risk of mercury in vaccines and other products because it is a ''trace amount''. The whole body of evidence on mercury shows it can be harmful and is best avoided. Sadly the American Academy of Pediatrics and the public health officials at FDA and the rest of the Department of Health and Human Services should be leading the charge to get mercury out of all medicines, and they have instead continued to protect the industry and not our children. It has been left to families who have formed organizations such as the Coalition for SafeMinds to fight for children to be protected from exposure to mercury through medicine.

Autism and Vaccine Injury: The Committee did not set out to investigate the epidemic rise in autism rates; however, in late 1999 as we were looking at reports of injury within the military form the adulterated anthrax vaccine, we began hearing about children being injured from vaccines and developing autism. It was a crisis we could not ignore.

Just as Bob Wright, the founder of Autism Speaks, recently testified before the House Oversight and Government Reform Committee that his daughter Katie reports that her son suffered a vaccine injury and developed autism, my both of my own grandchildren suffered vaccine injuries and my grandson developed autism shortly after he was vaccinated with multiple vaccines, exposed to high levels of mercury and suffered adverse reactions. We heard from thousands of families whose experienced similar injuries. Almost 5,000 of these families sought relief through the Vaccine Injury Compensation Program (VICP) as is required by law. Congress and the American people are repeatedly told that vaccine injury does not cause autism. Of the 5,000 families only 1, a little girl named Hannah Poling, has received justice in this program because her parents, both health professionals were able to document a mitochondrial dysfunction that was exacerbated by exposure to mercury and vaccine injury. The government conceded her case, but it still took years of negotiations and legal battles for little Hannah to be compensated. This program is not working at Congress intended and I hope my colleagues in the 113th Congress will conduct a thorough review of the management of the VICP and direct through legislation improvements to the law so that all that are seriously injured may be compensated swiftly, fairly and without long litigious battles. Sadly the autism omnibus proceeding was fraught with injustices. There was only limited discovery, many actions by government lawyers that in any other court would lead to disbarment, and an appearance of bias by the Special Masters who seemed to work as partners to Justice to defend against vaccine injury rather than to sit as unbiased administrators and many other matters deserve a thorough oversight review by Congress to insure the program operates as it was designed.

While government officials who settled the Hannah Poling case reported her mitochondrial dysfunction is rare, others reported that it is very prevalent in the autism population. Maybe as many as 1 in 5 with autism may have this same mitochondrial dysfunction. These same government officials have failed to share what their database of vaccine cases show—that almost since the inception of the VICP, the government has quietly been settling cases of vaccine induced brain injury that resulted in autism. The Elizabeth Birt Law Advocacy Center (EBCALA) conducted a review of settled cases within the program for vaccine induced brain injury such as encephalitis and seizures, confirmed dozens of cases in which the government compensated the vaccine injured. The way that the government has shielded this is that it is not listed as the primary injury. However, the EBCALA investigators validated through families and records that autism resulted from vaccine injury. There needs to improved transparency within this program. Every case that is settled should be published online in such a way that the public is informed what injuries have been acknowledged and the management of the program improved so that all cases for like injuries are compensated quickly. At present each report of injury is handled in isolation, with no discovery, no ability to refer to other cases and evidence previously accepted in cases, the program is wasteful in the use of its resources and certainly not fair to the injured. If we want to preserve vaccine policies in this country, it is essential to insure that the VICP works as Congress intended. I urge my colleagues to engage and stay engaged in investigating this program, talking to the lawyers and petitioners in the program, and improving it through legislation.

Autism: Autism in and of itself is a national emergency. We have gone in the time that I served in Congress from 1 in 10,000 to 1 in 88 children age 8 on the autism spectrum. This cannot simply be genetics—there is no such thing as a genetic epidemic. There are many issues that I urge my colleagues to address in 2013. The ERISA fix for insurance coverage of autism therapies such as Applied Behavioral Analysis is ''low hanging fruit'' for Congress. There is an urgent need to address adult and transition services for individuals with autism including those with higher functioning autism who, while often able to live independently as adults, are often under employed. We have a severe shortage of adequate housing for adults with autism who are no longer able to live with their parents. We have invested a billion dollars in autism research over the last decade, mostly on epidemiology and genetics. The autism community is frustrated that environmental factors are not given a greater share of the research dollars and that practically no funding has been provided to evaluate the dozens of therapies families who are able to pay out of pocket are using very successfully. Many of these are dietary related and alternative therapies and if there is ever to be insurance reimbursement, Medicaid coverage, or access through other government programs such as for military families, research to investigate for safety and benefit is needed. I hope my colleagues in 2013 will direct federal research resources to these much needed efforts in collaboration with the families and practitioners who have experience using them. The government cannot continue to sink significant resources simply into counting the children, without addressing the causes of the epidemic increase and focuses on prevention and treatments.

I am pleased that Chairman DARRELL ISSA committed during the November 29 autism hearing to stay engaged in looking at the federal response to autism. He is learning as I did while Chairman that the families and professionals involved in this community are desperate for Congress to do something to improve the Federal response, to hold accountable those who are subverting the truth about the causes of autism, and who have poorly managed the resources provided by taxpayers to get to the truth on autism and vaccine injury. I urge a review on how the Centers for Disease Control and Prevention (CDC) has managed the Vaccine Safety Database, how Poul Thorsen was able to steal more than $1 million from the autism grant in the CDC–Denmark project, and why Diana Schendel of the CDC has continued publish studies as a co-author to Thorsen. Why does the CDC continue to promote his research after his federal indictment for 22 counts of wire fraud and money laundering? I am concerned that individuals at the CDC have participated in malicious acts of covering up the data showing a direct connection between exposure to mercury in vaccines in the first six months of life and an eleven-fold increase risk of autism. I urge the 113th Congress to shine the light of day on their actions and seek justice.

Military and Veterans: I cannot leave Congress without giving mention to the men and women of our armed services, active duty, National Guard, Reserves and Veterans. We recently lost one our own in the Congress, Senator Daniel Inouye, a World War II veteran. All across the great nation, in veterans' hospitals, hospices and retirement homes, we are losing tens of thousands of World War II, the Korean Conflict, and Vietnam War veterans each month. Too many have no remaining family members to be with them and it is VA staff and volunteers who spend the last hours and days with them.

The signature injuries of the Global War on Terror of the last 12 years is Traumatic Brain Injury and Post Traumatic Stress Disorder. (TBI/PTSD) I like many Members of Congress have been informed of the benefits of hyperbaric oxygen therapy at 1.5 ATA for members of the military who have had concussive injury and developed TBI/PTSD. Professional athletes such as Washington Redskins quarterback Robert Griffin III who suffer a concussive injury are immediately provided access to all therapies that show benefit including hyperbaric oxygen therapy (HBOT).

Sadly our troops not provided the same access. For a decade members of the military and veterans have been working to gain access to HBOT and other therapies and to have these therapies paid for through Tricare. Evidence show HBOT is both safe and effective, and unlike the anti-depressant, anti-psychotic and other drugs being handed out like candy by military doctors, do not have black box warnings for increased risk of suicide and suicidal thoughts. I urge my colleagues returning in 2013 as well as President Obama, the Secretaries of Defense and Veterans Affairs to work together to make HBOT at 1.5 ATA (the validated dose) and other therapies as outlined in the TBI Treatment Act we passed twice in the House available to those with TBI/PTSD. Those who stepped up and volunteered to serve our nation deserve nothing less.

Health Freedom and the Constitution: At the foundation of all of my time in public service is the Constitution. The prevailing theme of the right to life, liberty and the pursuit of happiness for all Americans are as important today as it was when I was first sworn in. As I leave Congress, I am grateful for the opportunity to serve the people of Indiana and the nation. I am grateful for all those who have worked with me over the years in my Congressional office and on Committee Staff. I am thankful to a God who has provided me strength and health to serve and pray that as we enter 2013 and I enter a new phase of my life, with a beautiful and intelligent wife and family whom I love, that new champions for health freedom will emerge.

IN HONOR OF MY FAMILY'S LOVE AND SUPPORT

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in honor of my family. As you and almost every Member of Congress knows, doing this job would be impossible without the love and support our families.

Twenty-seven years ago, my wife, Janice, agreed to support my first run for Congress. She agreed on three conditions: I would not put the family into debt. That I would never ask her to do public speaking. And, that she would never have to ask for campaign contributions.

Well before the primary was over, we were in debt. Janice was my surrogate speaker, and she was the best fundraiser anyone could have.

Because of her skills at public speaking and campaigning, we were quickly out of debt from my first run for Congress. For the next 26 years, she spearheaded my campaign and I never again had to borrow from the family. Janice stood by my side as I met with ambassadors, heads of state, and military families. She has been my rock.

Janice and my four children were young adults when I first entered Congress. They have married and given us 10 beautiful grandchildren. They have been my greatest champions.

Shawn Gallegly married Tea. They gave us two grandsons, Adrian and Lucas.

Shawn Payton married Angelique. They gave us a granddaughter, Savannah, and two grandsons, Tanner, and Landon.

Kevin Gallegly married Jennifer. They gave us three granddaughters, Emma, Bethie, and Sammie.

Shannon Payton Breslow married Scott. They gave us a grandson, Payton, and granddaughter, Presley.

Mr. Speaker, without the love and support of my family, I could not have served in this great institution for so long and represented my neighbors as effectively. I know my colleagues join me in thanking them for their love and support. I look forward to spending much more time with my wife, children, and grandchildren and in supporting them achieve their dreams.

HONORING THE LIFE OF DR. ROMAIN CLEROU

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. MCCARTHY of California. Mr. Speaker, I rise today to honor the life of Dr. Romain Clerou, a local doctor from my hometown of Bakersfield, California who passed away on November 20, 2012. Romain selflessly served our community for over 65 years through his medical practice and will be remembered as a good friend to many, and a fixture on the sidelines at the local college and high school football games.

Born in Bakersfield to French immigrants, Romain attended Kern County Union High School, Bakersfield Junior College, the University of California at Berkeley, and Creighton Medical School in Nebraska before serving in the U.S. Navy's 41st Seabees during the Second World War.

In 1946, after the war had passed, Romain set up his medical practice in Bakersfield. Throughout the following decades, he would become well-regarded for his constant availability and the personal attention given to each of his patients. Dr. Clerou treated countless ailments, delivered thousands of babies, and befriended generations of families.

Additionally, Romain was the beloved team doctor for many athletes on Bakersfield football teams, a service for which he was known to never charge. Romain loved sports. He was a gymnast and football player and continued to play competitive rounds of golf up until late February of this year. Only a few months ago, Romain could be found at Bakersfield College taking in a football practice, sitting in a golf cart and smoking the cigars he was so well known for.

Mr. Speaker, it is this kind of dedication to community service that reflects the great characteristics of our nation's people. As someone who lived life to the fullest and spent most of that life serving the people of Bakersfield, Romain was not only a pillar of strength to his community, but also to his country. He is survived by Mrs. Mayie Maitia, along with her family, his six children, and five grandchildren. While I ask that my colleagues join me today in honoring the life of a great American, I have no doubt that Dr. Romain Clerou will be long remembered by the community he served so well.

HONORING BUCKS BEAUTIFUL

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the work being done in my home of Bucks County, Pennsylvania by the dedicated volunteers of Bucks Beautiful.

Founded in 1990 by Robert and Joyce Byers and Carol McCaughan with the goal of beautifying Bucks County, this community organization has dedicated itself to preserving and improving upon the existing natural beauty of my home in southeastern Pennsylvania.

Over the last 22 years, Bucks Beautiful has expanded its mission, offering beautification grant programs, partnering with a local college to offer academic scholarships, and offering scenic tours of Bucks County and other nearby locales.

Most recently, Bucks Beautiful has completed its ''Bulbs For Bucks'' Program, planting hundreds of thousands of daffodils at strategic locations across the county.

The inspiration of Chuck Gale, owner of Gale Nurseries and a Bucks Beautiful board member, this collaboration of local nursery owners and landscape architects will result in an impressive visual display come spring along major Bucks County thoroughfares.

Chuck Gale and his team complete the first phase of this undertaking in fall of 2010, planting 30,000 Daffodil Bulbs were planted along the Rt. 611 Bypass.

Last fall, 300,000 Daffodil Bulbs were planted along the Delaware Canal at key locations from Bristol to Riegelsville, Bucks County.

Finally, this November marked the completion of Phase 3 with 170,000 daffodil bulbs being planted along the new Route 202 Parkway and Route 202 Bypass.

The completion of this project, which included the acquisition from Holland the only bulb-planting machine in the United States, has laid the foundation for an expanded tourism base for Bucks County. Bucks Beautiful hopes to begin an annual bulb festival adding to the list of fairs and festivals that bring countless tourists from around the country to our community each year.

The hard work and dedication of Chuck Gale, the Central Bucks County Chamber of Commerce and the volunteers of Bucks Beautiful has made this program an outstanding success, and I wish them the best of luck going forward.

ANTIBIOTIC TREATMENTS OVER THE PAST CENTURY

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. BILBRAY. Mr. Speaker, I submit an essay by a San Diego innovator, Dr. Jeff Stein, President and CEO of Trius Therapeutics. Dr. Stein provides a fascinating account of the evolution in the discovery of antibiotic treatments over the past century.

Dr. Stein's story is a vivid example as to why the private sector and public sector must work together to innovate as a means to save

lives. Dr. Stein's company is one of many across the United States working to prevent infections and improve American's quality of life.

ANTIBIOTICS REDUX: MEDICINES THAT CHANGE THE COURSE OF HISTORY

DATELINE: APRIL 1945. HILL 913, NORTHERN ITALY

The 22-year old second lieutenant didn't know if it was the machine gun, mortar round or artillery shell blast that got him. Ordered to take out the machine gun nest hidden in a mountaintop farmhouse all he recalled was that he was dragging his platoon's wounded radio operator to safety when he felt a searing pain in his upper back, then nothing. The platoon medic took one look at the wounded lieutenant, injected him with the maximum survivable dose of morphine, indicating this by marking the letter ''M'' on his forehead in his blood, then, assuming he would not survive his wounds, left to treat other wounded platoon members. Although his initial wounds, which included a damaged spine, an obliterated kidney and a mangled right arm did not kill him outright, the lieutenant was shipped home with little expectation he'd survive. His parents were called to his hospital bedside three separate times for a death vigil.

APRIL 1945. RUTGERS UNIVERSITY

Four-thousand miles west of Hill 913, 25-year-old graduate student Albert Schatz, having recently submitted his patent application for his discovery of the antibiotic Streptomycin, was trying to figure out how to make enough of it for human testing. Tests in guinea pigs showed that Streptomycin was safe and effective in the treatment of infections caused by gram-negative bacteria and Mycobacterium tuberculosis. What motivated Schatz was that in the first half of the century bacterial infections—pneumonia, tuberculosis and blood stream infections—were the top three causes of death in the U.S. Wounded servicemen from World War II were especially prone to infections from gram-negative bacteria and the only other widely available antibiotic at the time, penicillin, was largely ineffective against these pathogens. As a child Schatz had experienced close friends dying of tuberculosis and as a medical bacteriologist stationed in an Army hospital in Florida during the early years of World War II, Private Schatz sat helplessly by the bedside of dying solders whose infections did not respond to penicillin or the experimental antibiotics then available. He was passionate and highly committed. Schatz produced Streptomycin from the soil bacterium Streptomyces griseus growing in 1-liter fermentation flasks running 24-hours a day in his basement laboratory at Rutgers. By the end of 1945 he had produced what he believed to be enough to treat one patient.

MARCH 1946. PERCY JONES ARMY HOSPITAL, BATTLE CREEK, MICHIGAN

The attending doctors had virtually encased the lieutenant's body in ice in a desperate attempt to lower his body temperature. His weakened immune system made him susceptible to infection and he had developed a severe lung infection that subsequently spread to his blood with resultant high fever. Massive doses of penicillin were ineffective. He was dying. Word of his condition made its way to Rutgers and Albert Schatz who subsequently rushed the first experimental dose of Streptomycin to Percy Jones Hospital to treat the lieutenant. The effects were nothing short of miraculous. The lieutenant's fever broke within 24 hours and his lung infection cleared within a week. He would survive. Later that year Streptomycin would go on to become the world's first experimental medicine to be tested in a double blind, placebo controlled clinical trial—the gold standard in clinical research—where it was shown to be effective and safe for the treatment of TB.

The lieutenant's name? Bob Dole. Yes, that Bob Dole who would go on to become Senate Majority Leader and, in 1996, candidate for the Presidency of the United States.

TODAY.

What is instructive about this true story of how an antibiotic altered the course of history is that we are presently on a retrograde course back to the early 20th century with respect to the treatment of bacterial infections. In the five-year period from 1983 to 1987 there were 16 new antibiotics approved, whereas from 2008 to 2012 there were only two. At the same time, there is an explosive emergence of multidrug resistant bacteria that are rendering existing antibiotics largely ineffective. Combat veterans returning from the Middle East have been diagnosed with drug resistant strains of the gram-negative pathogen Acinetobacter baumanii for which there are virtually no treatment options. The multidrug resistant NDM–1 strain of Klebsiella pneumoniae, which initially emerged from India, has spread globally. One in three people in the world are infected with a dormant version of Mycobacterium tuberculosis and a growing number of these, reported in 60 countries, have emerged as the highly virulent XDR–TB strain which is resistant to both first- and second-line TB therapies and can only be treated with a multiyear regimen of toxic drugs. Indeed, today's situation would likely ignite the same sense of urgency in Albert Schatz that he felt in 1945.

Fortunately, we have passionate and committed contemporary versions of Albert Schatz working to develop new antibiotics. Because of the enormous capital requirements and complex regulatory pathway for antibiotics, however, these individuals are now largely found in small biotech companies where the truly innovative antibiotics are currently being developed. It is unclear which, if any, of these companies will succeed in delivering critically needed medicines to the market. As drug resistant bacterial pathogens continue to proliferate, regulatory headwinds and market dynamics have made antibiotic development extremely challenging. While it is encouraging that this disconnect is receiving growing recognition and action amongst regulatory authorities, these small antibiotics companies, such as Trius Therapeutics where I am CEO, wait to see whether these regulatory incentives, such as the GAIN Act recently passed by Congress, can be implemented in time to make the development of new antibiotics clinically feasible and financially tractable. It will certainly be a race in which the outcome could alter the course of history and yes, save lives.

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. PENCE. Mr. Speaker, I was unavoidably absent on December 30, 2012 and missed rollcall votes 649 through 651. Had I been present, I would have voted "aye" on rollcall votes 649, 650, and 651.

RECOGNIZING THE LIFE OF ELIZABETH COX

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. LANCE. Mr. Speaker, I rise today to honor the life of Elizabeth Cox of Summit, New Jersey. Betty gave her life to public service in New Jersey and her contributions will long be remembered.

Betty was elected to the New Jersey General Assembly in 1972 to serve an unexpired term. Betty would continue four decades of public service as a founding member of the Women's Political Caucus, as a master poll worker for the Union County Board of Elections, as a staff member in the Department of Community Affairs and as an officer in the Summit, Union County and New Jersey Republican Committees.

Betty will be remembered as a dedicated public servant, a parliamentarian and a champion of women's issues. I was honored to call Betty a friend and colleague.

PAUL KRUGMAN AND THE ECONOMIC CASE FOR FAIRNESS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. FRANK of Massachusetts. Mr. Speaker, Paul Krugman has consistently and articulately defended programs that are essential for the quality of life for our most vulnerable residents, and exposed the flawed morality and impaired logic of those who seek to use the existence of a large national debt as an argument for exacerbating inequality in the United States. His column for Monday, December 31 is an excellent example of this, and I hope all Members will pay attention to its message.

BREWING UP CONFUSION

(By Paul Krugman)

Howard Schultz, the C.E.O. of Starbucks, has a reputation as a good guy, a man who supports worthy causes. And he presumably thought he would add to that reputation when he posted an open letter urging his employees to promote fiscal bipartisanship by writing ''Come together'' on coffee cups.

In reality, however, all he did was make himself part of the problem. And his letter was actually a very good illustration of the forces that created the current mess.

In the letter, Mr. Schultz warned that elected officials ''have been unable to come together and compromise to solve the tremendously important, time-sensitive issue to fix the national debt,'' and suggested that readers further inform themselves at the Web site of the organization Fix the Debt. Let's parse that, shall we?

First of all, it's true that we face a time-sensitive issue in the form of the fiscal cliff: unless a deal is reached, we will soon experience a combination of tax increases and spending cuts that might push the nation back into recession. But that prospect doesn't reflect a failure to ''fix the debt'' by reducing the budget deficit—on the contrary, the danger is that we'll cut the deficit too fast.

How could someone as well connected as Mr. Schultz get such a basic point wrong? By

talking to the wrong people—in particular, the people at Fix the Debt, who've been doing their best to muddle the issue. For example, in a new fund-raising letter Maya MacGuineas, the organization's public face, writes of the need to ''make hard decisions when it comes to averting the 'fiscal cliff' and stabilizing our national debt''—even though the problem with the fiscal cliff is precisely that it stabilizes the debt too soon. Clearly, Ms. MacGuineas was trying to confuse readers on that point, and she apparently confused Mr. Schultz too.

More about Fix the Debt in a moment. Before I get there, however, let's move on to Mr. Schultz's misdiagnosis of the political problem we face.

Look, it's true that elected politicians have been unable to ''come together and compromise.'' But saying that in generic form, and implying a symmetry between Republicans and Democrats, isn't just misleading, it's actively harmful.

The reality is that President Obama has made huge concessions. He has already cut spending sharply, and has now offered additional big spending cuts, including a cut in Social Security benefits, while signaling his willingness to retain many of the Bush tax cuts, even for people with very high incomes. Taken as a whole, the president's proposals are arguably to the right of those made by Erskine Bowles and Alan Simpson, the co-chairmen of his deficit commission, in 2010.

In return, the Republicans have offered essentially nothing. Oh, they say they're willing to increase revenue by closing loopholes—but they've refused to specify a single loophole they're willing to close. So if there's a breakdown in negotiations, the blame rests entirely with one side of the political divide.

Given that reality, think about the effect when people like Mr. Schultz respond by blaming both sides equally. They may sound virtuously nonpartisan, but what they're actually doing is rewarding intransigence and extremism—which, in the current context, means siding with the G.O.P.

I'm willing to believe that Mr. Schultz doesn't know what he's doing. The same can't be said, however, about Fix the Debt.

You might not know it reading some credulous reporting, but Fix the Debt isn't some kind of new gathering of concerned citizens. On the contrary, it's just the latest addition to a group of deficit-scold shops supported by billionaire Peter Peterson, a group ranging from think tanks like the Committee for a Responsible Federal Budget to the newspaper The Fiscal Times. The main difference seems to be that this gathering of the usual suspects is backed by an impressive amount of corporate cash.

Like all the Peterson-funded groups, Fix the Debt seems much more concerned with cutting Social Security and Medicare than with fighting deficits in general—and also not nearly as nonpartisan as it pretends to be. In its list of ''core principles,'' it actually calls for lower tax rates—a very peculiar position for people supposedly horrified by the budget deficit. True, the group calls for revenue increases via unspecified base broadening, that is, closing loopholes. But that's unrealistic. And it's also, as you may have noticed, the Republican position.

What's happening now is that all the Peterson-funded groups are trying to exploit the fiscal cliff to push a benefit-cutting agenda that has nothing to do with the current crisis, using artfully deceptive language—as in that MacGuineas letter—to hide the bait and switch.

Mr. Schultz apparently fell for the con. But the rest of us shouldn't.

HONORING VERNE D. RIDER

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the service of a man I have had the distinct privilege of serving with during my time representing the people of Pennsylvania's 8th District, Verne D. Rider.

With the conclusion of this 112th Congress, Verne will be retiring for the fourth time, but I am sure it will not be his last.

Albert Einstein once claimed that ''a life lived in service to others is worth living.'' If Mr. Einstein is correct, Verne Rider's continued life of service to his country is an example to each of us a life worth living.

When his country called him for the first time, Verne dedicated himself to decades of honorable service in the United States Air Force. During his proud military career, Verne flew missions over the fields of Southeast Asia during the Vietnam War and the deserts of the Middle East as part of operations Desert Storm and Desert Shield.

To this day, Verne always takes note of when he or one of his co-workers is dressed in their ''Air Force Blue''. A true patriot, Verne's service in the Air Force is just one example of his drive to serve others in any way he can.

Upon retiring from his time in the military, Verne recognized an opportunity to continue his service, this time in the name of his fellow veterans, including those who found themselves homeless and in need.

As a generation of military men and women reaches retirement age, some find themselves in need of assistance and guidance through a complex and often frustrating bureaucratic VA Benefits system.

When I began putting together my office staff for my first term in Congress I could think of no one better than Verne Rider to provide 8th District veterans with the help they needed. Whether that help comes in the form of a phone call to the VA, a letter to a federal agency, or often times just a shoulder to lean on, Verne is always ready and willing to do his best for his fellow veterans.

During those first two years, Verne became a staple of the veteran community in my home of Bucks County, and was known across the district as a true friend to veterans.

Between my terms in Congress, Verne insisted on continuing his service to his brothers in arms, and was able to fulfill a similar role for the late Senator Arlen Specter.

I was fortunate enough to have Verne return to office with me for the 112th Congress and everywhere I go, the veterans of my district remind me how lucky I am to have someone like Verne Rider on my staff.

While Verne's retirement from my office for the second time marks an immediate loss to our organization, I have no doubt that this will not be the last we see of Verne in service to our country.

I know this because I am able to share one of my proudest achievements as a member of Congress with Verne. Together, with the efforts of local leaders and allies in Washington, Verne and I were able to bring a national cemetery to Bucks County, providing our veterans with a final resting place on the historic grounds of Washington Crossing, Pennsylvania.

Verne's continued work with the Guardians of the Washington Crossing National Cemetery will keep him firmly fixed in his position as a community leader.

After a lifetime of service to his country and its veterans, Verne will continue to dedicate himself fully to the most important role of his life as a loving husband, proud father and new grandfather.

On behalf of myself, my staff, and the people of Pennsylvania's 8th Congressional District, I extend my sincerest gratitude to Verne D. Rider for his decades of service to his country and to our community.

We are all looking forward to seeing where your drive to serve others takes you next.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. QUIGLEY. Mr. Speaker, I rise today because in the coming week, most of us will sit down to a holiday meal with our families, friends, and loved ones.

And most of us will take this meal for granted.

But for 46 million Americans who rely on nutrition assistance, this holiday meal is not a guarantee.

The vast majority—more than 85 percent—of these 46 million Americans are living in households making less than $22,000 for a family of four.

And of those 46 million, half are children, and three-quarters are households that include an elderly person, a disabled person, or children.

For these millions of families, food is not a certainty, and they struggle each day to make ends meet.

Sadly, due to the recession, an increasing number of Americans have lost their jobs and been forced to turn to the supplemental nutrition assistance program, or SNAP.

As the number of unemployed Americans increased 94 percent between 2007 and 2011, SNAP increased as well, rising 70 percent to meet demand.

At the food pantries in my district, pantry visits have increased between 8 and 30 percent from last year. While the economy is improving, the number of individuals in need of assistance is still elevated.

Rather than cutting food assistance right now, we should be bolstering it.

Unfortunately, some members of this body have targeted food assistance, arguing it should be cut to balance the budget and avert cuts to defense.

The Ryan budget proposed cutting SNAP by $133 billion.

A cut of this magnitude would cut almost 10 million people off from food aid, or would result in a benefit cut of $90 per month for a family of four.

For a family with a net monthly income of $338—the average for most SNAP households—a $90 cut would be devastating.

I agree with my colleagues on the other side of the aisle: We must reduce the deficit.

And that means raising revenues and implementing cuts.

But both revenue increases and cuts must be strategic, not simple.

The tax code should be simplified, tax expenditures should be scrutinized, and tax increases should be progressive.

Similarly, spending reductions should be based on a reexamination of what we need to remain competitive in a global economy.

For instance, we should continue to invest in education, job training, infrastructure, and yes food assistance to keep Americans successful and competitive.

We should cut outdated spending on defense expenditures, such as our out-sized nuclear stockpile and permanent troops in Europe.

We should also reform our entitlements, such as Medicare, by paying providers for outcomes and quality, combating waste and fraud, and demanding higher rebates from drug companies.

The truth is, food assistance comprises just two percent of the federal budget.

And contrary to the claims by the some that food assistance is unsustainable—SNAP is expected to drop from .52 percent of GDP in 2011 to just .3 percent as the economy recovers. This is hardly an unsustainable trend.

In fact, according to Moody's Analytics every $1 dollar invested in SNAP yields $1.72 in economic benefit.

As we speak, negotiators are sitting down to determine what a final deficit reduction package will look like.

I hope that as they debate the final deal, and look forward to spending the holidays indulging with their families, they remember the millions of families that aren't as lucky.

I hope they remember the millions of children, parents, elderly, and disabled Americans who rely on SNAP to avoid going hungry.

I recently had the privilege of volunteering at the Greater Chicago Food Depository, which provides food to over half a million Chicagoans every year.

I met some of the folks who rely on SNAP and I heard their stories.

And I can tell you, they are not takers.

They are our friends and neighbors who have fallen on hard times and need our help.

I won't soon forget them, and I hope those crafting the deficit reduction package won't either.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 8, American Taxpayer Relief Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S8557–S8610

Measures Introduced: Two resolutions were introduced, as follows: S. Res. 628–629. **Pages S8589–90**

Measures Passed:

American Taxpayer Relief Act: By 89 yeas to 8 nays (Vote No. 251), Senate passed H.R. 8, to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, by the order of the Senate of Tuesday, January 1, 2013, 60 Senators having voted in the affirmative, and after taking action on the following amendments proposed thereto: **Pages S8584–86**

Adopted:

Reid/McConnell Amendment No. 3448, in the nature of a substitute. **Page S8585**

Pryor (for Reid) Amendment No. 3450, to amend the title. **Page S8586**

Space Launch Liability Provisions: Senate passed H.R. 6586, to extend the application of certain space launch liability provisions through 2014, after agreeing to the following amendment proposed thereto: **Pages S8608–09**

Pryor (for Nelson (FL)/Hutchison) Amendment No. 3449, in the nature of a substitute. **Page S8609**

Endangered Fish Recovery Programs Extension Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 6060, to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019, and the bill was then passed. **Page S8609**

Natural Gas Transmission Pipeline: Senate passed S. 302, to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in nonwilderness areas within the boundary of Denali National Park. **Page S8609**

Inter-Country Adoptions of Russian Children: Senate agreed to S. Res. 628, expressing the deep disappointment of the Senate in the enactment by the Russian Government of a law ending inter-country adoptions of Russian children by United States citizens and urging the Russia Government to reconsider the law and prioritize the processing of inter-country adoptions involving parentless Russian children who were already matched with United States families before the enactment of the law. **Pages S8609–10**

Authorize the Production of Records: Senate agreed to S. Res. 629, to authorize the production of records by the Committee on Armed Services. **Page S8610**

Messages from the House: **Page S8588**

Enrolled Bills Presented: **Page S8588**

Executive Communications: **Pages S8588–89**

Statements on Introduced Bills/Resolutions: **Pages S8590–92**

Additional Statements: **Pages S8586–88**

Amendments Submitted: **Pages S8592–S8608**

Record Votes: One record vote was taken today. (Total—251) **Page S8585**

Adjournment: Senate convened at 11 a.m. on Monday, December 31, 2012 and adjourned at 2:31 a.m. on Tuesday, January 1, 2013, until 2 p.m. on the same day.

(For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8610.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 6 public bills, H.R. 6720–6725 were introduced, no resolutions were introduced today. **Page H7516**

Additional Cosponsors: **Page H7516**

Reports Filed: Reports were filed today as follows:

H.R. 752, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes, with an amendment (H. Rept. 112–735);

H.R. 4194, to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes (H. Rept. 112–736);

H.R. 4019, to increase employment and educational opportunities in, and improve the economic stability of, counties containing Federal forest land, while also reducing the cost of managing such land, by providing such counties a dependable source of revenue from such land, and for other purposes, with an amendment (H. Rept. 112–737, Pt. 1); Fourth Semiannual Report on the Activities of the Committee on House Administration (H. Rept. 112–738); and

Summary of Activities of the Committee on Ethics for the 112th Congress (H. Rept. 112–739). **Page H7516**

Speaker: Read a letter from the Speaker wherein he appointed Representative Harper to act as Speaker pro tempore for today. **Page H7471**

Recess: The House recessed at 9:41 a.m. and reconvened at 10 a.m. **Page H7475**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Intelligence Authorization Act for Fiscal Year 2013: S. 3454, to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence and the Central Intelligence Agency Retirement and Disability System, by a ⅔ yea-and-nay vote of 373 yeas to 29 nays, Roll No. 652; **Pages H7479–85, H7512**

Redesignating the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range: H.R. 6612, to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range, by a ⅔ yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 653; **Pages H7485–91, H7512–13**

Amending the Animal Welfare Act To Modify the Definition of "Exhibitor": S. 3666, to amend the Animal Welfare Act to modify the definition of "exhibitor"; **Page H7495**

Frank Buckles World War I Memorial Act: Concurred in the Senate amendment to H.R. 6364, to establish a commission to ensure a suitable observance of the centennial of World War I and to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, by a ⅔ yea-and-nay vote of 401 yeas to 5 nays, Roll No. 654; **Pages H7495–98, H7513–14**

Calling on the New Government of Egypt To Honor the Rule of Law and Immediately Return Noor and Ramsay Bower to the United States: H. Res. 193, amended, to call on the new Government of Egypt to honor the rule of law and immediately return Noor and Ramsay Bower to the United States; and **Pages H7506–08**

Agreed to amend the title so as to read: "Calling for the safe and immediate return of Noor and Ramsay Bower to the United States.". **Page H7508**

Naval Vessel Transfer Act of 2012: H.R. 6649, amended, to provide for the transfer of naval vessels to certain foreign recipients. **Pages H7508–11**

Recess: The House recessed at 1:37 p.m. and reconvened at 5:44 p.m. **Page H7512**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Providing for the Conveyance of Certain Property from the United States to the Maniilaq Association Located in Kotzebue, Alaska: Concur in the Senate amendment to H.R. 443, to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska; **Page H7491**

Investigative Assistance for Violent Crimes Act of 2012: Concur in the Senate amendment to H.R. 2076, to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes; **Pages H7491–95**

Calling for Universal Condemnation of the North Korean Missile Launch of December 12, 2012: H. Con. Res. 145, amended, to call for universal condemnation of the North Korean missile launch of December 12, 2012; **Pages H7498–H7500**

Condemning the Government of Iran for Its State-Sponsored Persecution of Its Baha'i Minority and Its Continued Violation of the International Covenants on Human Rights: H. Res. 134, amended, to condemn the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; and **Pages H7500–03**

Urging the Governments of Europe and the European Union to Designate Hizballah as a Terrorist Organization and Impose Sanctions: H. Res. 834, to urge the governments of Europe and the European Union to designate Hizballah as a terrorist organization and impose sanctions, and to urge the President to provide information about Hizballah to the European allies of the United States and to support the Government of Bulgaria in investigating the July 18, 2012, terrorist attack in Burgas. **Pages H7503–06**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon tomorrow. **Page H7514**

Senate Message: Message received from the Senate today appears on pages H7511–12.

Senate Referrals: S. 140 was referred to the Committee on Natural Resources and S. 114, S. 264, S. 499, S. 970, S. 1047, S. 1421, S. 1478, S. 2015, S. 3250, S. 3563, and S. 3715 were held at the desk. **Pages H7511–12, H7514**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H7512, H7513, H7513–14. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 6:25 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JANUARY 1, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No meetings are scheduled.

Next Meeting of the SENATE

2 p.m., Tuesday, January 1

Senate Chamber

Program for Tuesday: Senate will be in a period of morning business until 3:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Tuesday, January 1

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

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