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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC, *January 1, 2013.*

I hereby appoint the Honorable ROBERT J. DOLD to act as Speaker pro tempore on this day.

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

PRAYER

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

Eternal God, we give You thanks for giving us another day, a new year.

The political struggles of the past year have revealed the divisions that exist in our Nation. There are many American citizens who are angry, frustrated, and anxious for the future.

This day is a day of history. Send Your spirit upon the Members of the people's House. May an imperfect compromise, when viewed from the perspective of our differences, not be undermined by a desire for political victory. This is difficult for all. Give each Member the grace of courage to forge a constructive solution for the good of the Nation and all Americans.

Help us to trust that no matter what, You will not abandon us.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SHIMKUS led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 6060. An act to amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8. An act 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, and for other purposes.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6586. An act to extend the application of certain space launch liability provisions through 2014.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 302. An act 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.

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.

THE UKRAINE'S BACKSLIDE IN DEMOCRACY

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

Mr. SHIMKUS. Mr. Speaker, the Ukraine, once a model for democratic transition in the Eurasia region and the world after the Orange Revolution, has been experiencing significant backsliding in democracy. The Organization for Security and Cooperation in Europe found that the October elections did not meet international standards, and the arrest and continued harassment and mistreatment of opposition leaders, including the former prime minister, Yulia Tymoshenko, also causes concern. The trial against Ms. Tymoshenko in the gas case was described as selective persecution in statements by the U.S., Russia, United Kingdom, Germany, Italy, Spain, and other European countries.

On July 16, 2012, our colleague, CHRIS SMITH, introduced a measure calling for Ukrainian authorities to release political opposition leaders and hold free and fair elections. At the beginning of a new year, I call on Ukrainian officials to immediately free Ms. Tymoshenko and other political prisoners.

LET'S REGAIN CONTROL OF AMERICA'S DESTINY

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

Printed on recycled paper.

Mr. KUCINICH. A New Year's deal for New Year's Day—or is it Groundhog Day? Because like the movie ''Groundhog Day,'' this government in 2 months will arrive at another crisis of debt, of spending, and taxes.

Our debt-based economic system, with its exponential growth of debt due to compounded interest, consigns us to massive unemployment, threatens the social safety net, a deteriorated infrastructure, a psychology of poverty amidst plenty, austerity. Congress must regain its full power accorded under the Constitution, article I, section 8, to coin, to create money, to invest in our Nation interest-free, to put America back to work. Why go into debt borrowing money from China, Japan, South Korea, when we have the constitutional authority to protect our economic sovereignty and to ensure America's long-term fiscal health?

The endless cycle of increasing taxes and cutting spending will not work because the debt keeps ballooning with compounding interest. It is time for a new American monetary policy to climb out of poverty and debt. Reforms are outlined in the National Emergency Employment Defense Act, H.R. 2990. It's the NEED Act.

Let's regain control of America's destiny.

SPENDING ANONYMOUS

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

Mr. POE of Texas. Mr. Speaker, it's New Year's Day 2013. What an excellent time for Congress to make at least one New Year's resolution.

Congress is addicted to spending money. Maybe Congress should join Spending Anonymous. Here is the 12-step plan:

One, Congress should admit it's addicted to spending someone else's money;

Two, make a list of the wasteful spending;

Three, pass a yearly budget and a constitutional balanced budget amendment;

Four, stop giving money to countries that hate us;

Five, have the resolve not to spend money we don't have;

Six, don't contribute to the addiction by taking more money away from Americans;

Seven, don't borrow any more money from China;

Eight, don't make excuses for our addiction;

Nine, don't blame others for the addiction;

Ten, run Congress like most people run their family budgets;

Eleven, remember, we are to do the will of the people;

Twelve, have a support group and meet regularly to confess our addiction.

Mr. Speaker, Congress should join Spending Anonymous.

And that's just the way it is.

150TH ANNIVERSARY OF THE EMANCIPATION PROCLAMATION

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

Mr. BUTTERFIELD. Mr. Speaker, I rise today to commemorate the 150th anniversary of the signing of the Emancipation Proclamation. In the early 19th century, 4 million slaves resided in the South, public opinion in the North began to oppose it, States resisted by ceding from the Union, and a brutal civil war ensued.

In order to end slavery and the war, President Lincoln on September 22, 1862, issued a preliminary emancipation proclamation directing all rebelling States to free their slaves and return to the Union in 100 days.

Lincoln made it clear: should they fail to do so, he would use his authority as Commander in Chief to end slavery. States failed to act, and Lincoln signed the proclamation January 1, 1863.

More than 200,000 lives were lost in the war. Lincoln lost his own life with an assassin's bullet following reelection. This is American history that every individual must understand and appreciate.

Today, Mr. Speaker, we commemorate 150 years of freedom for African American citizens.

GET IT RIGHT AND DON'T ACT IN HASTE

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

Mr. BROOKS. Mr. Speaker, the Senate passed a fiscal cliff bill this morning without time for Senators to adequately consider it and, more importantly, without giving the American people time to understand it and share their insight with Congress.

Senator MITCH MCCONNELL observed, ''This shouldn't be the model for how we do things around here,'' and then the Senate proceeded like a bull in a china closet anyway.

The Senate boasts it is America's deliberative body. Today, that claim rings hollow.

Mr. Speaker, the House must postpone this vote until Congress and the American people have time to study and evaluate this extraordinarily complex legislation and its impact on taxes, revenue, the economy, our debt, and a myriad of other issues. It is better to get it right than to act in haste.

Mr. Speaker, if we vote on the Senate fiscal cliff bill today, I will vote against it because this is not the way to do the people's business. I will not condone with my vote a process that denies the American people an opportunity to participate in their Republic on issues of this magnitude.

□ 1210

A LOST OPPORTUNITY FOR REFORM

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

Mr. BLUMENAUER. The agreement we are expected to vote on, perhaps as early as this afternoon, has many commendable and important items. Unfortunately, too many are short term; much is left out; and most important, we are losing an opportunity for reform.

We cannot continue to have, by far, the world's largest and most expensive military, the world's lowest taxes, the most expensive and inefficient health care system, and continue to allow our country's infrastructure to fall apart all while America grows and ages.

This agreement represents absolutely the least we could have done under these circumstances and tragically institutionalizes for the next Congress the madness of short-term frenzy around artificial deadlines that drives the American public crazy.

Not only can we do better; we must do better. This flawed, partial plan is not just a lost opportunity; it represents a real setback.

THANK YOU FOR THE OPPORTUNITY TO SERVE

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

Mr. MANZULLO. Mr. Speaker, this is the last time I'll have the opportunity to address my colleagues as I wind up a 20-year career in the House of Representatives on January 3. I want to thank my constituents for giving me the honor and the opportunity to fulfill the dreams of a 10-year-old child who dreamed about becoming a Member of the House of Representatives.

Twenty years ago, almost to the date when I was first sworn in, our family visited the Emancipation Proclamation at Archives. It's open again today. He was from my State. He served our State. In the incredible speech that he gave at Gettysburg, he talked about people coming here to do the unfinished work. That's the job of all of us as Members of Congress is to do the unfinished work as Lincoln saw it—the unfinished work not only to bind the wounds of the Nation but to keep America together. That's the charge that we have continually is to keep America together.

God bless you and thank you for the opportunity to serve.

THE AMERICAN ECONOMY NEEDS TO GROW

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

Mr. HIGGINS. Mr. Speaker, the people in this Chamber who do all the complaining about spending, the record

clearly shows, voted for all the spending that they complain about: two wars that took $1 trillion out of the American economy, unfunded tax cuts that created the worst economy in 60 years, and an unpaid drug prescription program that will cost $730 billion over the next 10 years.

Moreover, the House Republican budget for 2013 spends $900 billion more than it takes in in revenues. That Republican budget imbalance will require raising the debt ceiling early this year. Raising the debt ceiling does not authorize you to spend more money. It authorizes you to pay back the money that you've already spent. Republicans in this House voted for it, and they have a moral obligation to repay that money.

Mr. Speaker, the American economy needs to grow much more than the projected 2 percent for 2013. Two percent growth is not enough to sustain the current level of employment. The American economy needs robust growth at 3 to 4 percent, growth that can only come from investments in education, road and bridge building, research. We need to do nation-building not in Afghanistan, not in Iraq, but nation-building at home, here in America.

LET'S FIND A BETTER WAY FORWARD

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

Mr. RIGELL. Mr. Speaker, what do we know with certainty about the bill which passed the Senate? We know it has bipartisan support, and that's encouraging. I'm a Republican who has been making the case that revenues must rise. This bill does that; and if it becomes law, it provides some certainty to our Tax Code, which would surely help our economy.

Yet, Mr. Speaker, we also know with certainty that it fails to address the mortal threat facing our country—uncontrolled spending. It fails to reflect the balanced approach that was advocated by our President. So we find ourselves again with a bill that reflects not financial wisdom but the seductive spirit that pervades this town. The time to confront our spending addiction is not now. It's later, they say—we'll do the right thing then.

In lacking knowledge, political courage—or both—leaders in Washington continue to overpromise. They're like salespeople who tell their customers they can have a $30,000 car but only pay $18,000 for it. Who doesn't like that deal? The truth—and what we know with certainty—is that the full cost, indeed, will be paid by their children, the next generation of Americans.

There is a better way forward, Mr. Speaker, for Americans. Let's find it.

E PLURIBUS UNUM

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

Mr. COHEN. We've heard from a colleague of mine on the Democratic side who sounds like he's not going to vote for this bill, and we've heard it from a couple of folks on the other side. Well, I'm going to vote for it, not because I think it's all the best sugar and spice and everything nice, but because, for one thing, I believe our President and our Vice President know what they can get in a negotiated deal with the Republican side in the Senate and what might pass this House as well, and they know what our country needs.

My district can't afford to wait a few days and have the stock market go down 300 points tomorrow if we don't get together and do something, and the people in my district need unemployment compensation and need to know in the future that they're going to have the low-income earned tax credit and college credit.

It's important that we keep this country moving in the right direction and away from another recession. ''E Pluribus Unum'' is not just on our bills, but it's what we are as legislators. We are one of 435 and one of 535, including the Senate. We need to come together and work together for the betterment of the country.

This isn't the perfect deal, but it's the deal we got, and it's the deal I'm going to support. I hope that my colleagues will resolve to give the President and the Vice President the benefit of the doubt as the year goes on and as I do today.

FUTURE GENERATIONS DESERVE BETTER

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

Mr. GOHMERT. Last night was the first time in my life that I've sat at my desk as we went into a new year, but it gave me a chance to contemplate what we're about.

We're going into a new year as the first generation who did not ask the question: What can we do? What can we sacrifice to make future generations have a better life than we have? Instead, we asked: How much can we eke up taxes a little bit so that we can keep spending 58 cents to get a dollar's worth of wasteful, bloated government so that our children and grandchildren can pay 42 cents of every dollar that we waste on ourselves?

Is that any way to start the new year?

We're taking up a bill that will not do anything to cut spending. I am embarrassed for this generation. The future generations deserve better.

A HOUSE DIVIDED WILL NOT STAND

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

Mr. FATTAH. It's a new year. For my youngest children, both will grow 1 year older this year. My daughter Chandler will turn 10, and my teenager, Cameron, will turn 15. Today, we know the birthday of the Emancipation Proclamation as we celebrate it here in Washington. Our country, hopefully, gains maturity as we go forward.

We were reminded a long time ago that a House divided would not stand. We have to come together, and we should put away some of the nonsense of attacking the President for spending when our Founders when writing the Constitution gave the Congress control over the spending. In article I, section 9, clause 7, we control the spending. So if we want to back away from spending, we need to look in the mirror. In terms of this agreement, rather than curse the darkness, we should look at those who have lit the candle. When we can have a bipartisan vote of 89 Senators start this year off and move our country forward, we should rally behind them.

I ask my colleagues to vote in favor of the agreement in order to move away from the cliff and continue to move our country towards greatness.

A SMALL FINGER IN A DIKE WITH HUNDREDS OF HOLES

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

Mr. ISSA. I wish I could say that this was a proud moment, a moment in which we started the year off right, in which the 1st of January was the first of a great many good things. It isn't. We're kicking the can down the road. Worse than that, when faced with a mountain of debt that we were heading for, like an airplane, did we climb over it? No. What we're going to do in the present plan is put another nearly trillion dollars' worth of debt on the American people.

Time is running out to change the direction because that trillion dollars isn't just a problem for the next generation. It's a problem for corporate America, and it's a problem for every American. The trillion dollars we spend and waste this year is $1 trillion that we will have to bear for the rest of our lives.

Mr. Speaker, I may vote for what comes on the floor. I certainly will vote for a bill, which I'm going to manage in a few minutes, to hold down the growth of spending in the government; but I'll tell you, I won't do it thinking we've accomplished anything here today other than the smallest finger in a dike that, in fact, has hundreds of holes in it.

□ 1220

FIGHTING FOR THE AMERICAN PEOPLE

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

Ms. JACKSON LEE of Texas. I join with my earlier colleague in acknowledging the 150th year of the Emancipation Proclamation. What a moving moment last evening at the National Archives when I read the words: Hence forth these slaves are free.

I rise with a more optimistic view and a view that says we have the opportunity to do what is right by the American people. But we must also recognize that we have to tell the truth. At the end of the Clinton administration, this Nation had $5 trillion in surplus. But with wasteful tax cuts and spending by our Republican friends, we find ourselves in this deficit.

I don't know what my decision will be as we move forward on this issue of the fiscal cliff, but I will say this: we will not tolerate the American people being held hostage over the debt ceiling and these unhelpful cuts that will cut into those who are the most vulnerable. That will not be the pathway that we will take because every economist will tell you that if you invest in your people and build infrastructure, you will grow this country and you'll turn this economy and you'll be able to get people jobs. That's the message that will come forth from this day, January 1, when we are here in this Congress.

I want the American people to be optimistic because there are Members of Congress that will fight for your growth, your opportunity, your freedom. That is what America is all about.

BAD DEAL FOR AMERICA

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

Mr. MORAN. Mr. Speaker, the deal that Republican Senate leader MITCH MCCONNELL was able to get his colleagues to pass last night is a bad deal for America and a worse deal for our children's future. It's the largest increase in public debt that this body will have ever passed—more than $5 trillion from today's current law.

Our deficit this year alone is likely to be about $1.3 trillion. This would reduce it down to $1.24 trillion with $60 billion of new revenues that it gains. Most importantly, it sets up three more fiscal cliffs over the next 3 months when appropriations spending expires on March 27, when the debt ceiling has to be increased at the end of February, and when the sequester has to be dealt with at the very same time.

So all we've done is to stumble forward into an even less predictable situation with far fewer resources to invest in our Nation and our children's future.

PATRIOTIC GLUE

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

Mr. CLEAVER. Mr. Speaker, I don't particularly like the bill that is going to come to the floor, but I am going to vote for it. And the reason is, stumbling through one of those Dollar General stores looking for some last minute gifts, I stumbled across a section that had Gorilla Glue and Magic Stick'em Glue, and I thought, Boy, if I can get some of this stuff, first I would glue the top of the kitchen trash can so my wife's puppy won't continue to go in it. And then I thought, well, I'll use some of this glue to impress people that I can actually fix things. Then I thought, maybe I can do it when I'm performing marriages: instead of saying ''until death do us part,'' say ''until the glue wears out.''

Then I thought, wouldn't it be great if we could glue ourselves to each other across the aisle. I mean, after all, it is only if we are sticking together that we're going to be able to address the problems that face this country.

The truth of the matter is we already have some glue. One Nation under God—patriotic glue. We're supposed to work together, to stick together. Without us coming to the point where we really understand ''E pluribus unum''—out of many, one—this body, for the lack of glue, will not do the business of this country.

GETTING THE JOB DONE

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

Mr. ALTMIRE. Mr. Speaker, last night the Senate did what great deliberative bodies are supposed to do—they worked together. They compromised. They accommodated other point of views, and they got the job done.

Yes, it was a little bit late. It wasn't exactly timed as we would have liked, but now it's our turn. The Senate passed it in a bipartisan, overwhelming way. My colleagues, let's join together today. Let's show the American people that this Congress is not broken. That we are not so dysfunctional that we can't, at minimum, work together, come to agreement, compromise. Let's get this done. This is too important for the American people to let this go one more day. Please join me in supporting the fiscal cliff bill today.

NOT A PERFECT PACKAGE

(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. Mr. Speaker, we are about to have a hold-your-nose vote here in the House of Representatives. And many of us are going to wrestle with the problem of making perfect the enemy of the good.

We do have an opportunity to stabilize taxation for 99 percent of all Americans, to extend depreciation and investment expansion for small businesses, to make sure that families in America, through the child tax credit, the earned income tax credit, and student loans, are stabilized for their planning in calendar year 2013. The R&D tax credit is extended. So there's a lot in this package that's good.

And there's a lot that's not addressed at all in this package. We have a debt ceiling crisis pending. We have a sequestration crisis spending. It must be addressed, or it's going to have a huge drag on the United States economy, and in the case of the debt, once again, revisit the issue of default for the first time in American history.

So it's not a perfect package, but it is something that gets us by while we tackle the larger issues in the next Congress. I pray God that next Congress is more willing to compromise than this.

MOVING FORWARD FOR THE AMERICAN PEOPLE

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

Mr. MEEKS. Today we have an option. We are confronted with a bill that we can vote for or vote against. We can allow us to go over the ceiling, or we can try to come together and pass something that probably on both sides of the aisle no one agrees with 100 percent. It seems to me, while I have long advocated for a big deal so we don't have to continue fighting in regards to the debt ceiling or sequestration, that we've got to make sure, though, that we do something. And this bill that will come to the floor today I will vote for with many a thing in the bill that I don't like. But I'm sure from listening to some of my colleagues, there are many things in the bill that they don't like.

Generally, I find that when both sides don't like something, then maybe we are moving into the right direction and maybe we are moving forward in a positive way for the American people. So I come to the floor saying I'm not fully satisfied, but it's all right because I think we have to move forward and do the best that we can for the American people.

NORTH KOREAN CHILD WELFARE ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1464) to develop a strategy for assisting stateless children from North Korea, and for other purposes, with the Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendments.

The Clerk read as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''North Korean Child Welfare Act of 2012''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) hundreds of thousands of North Korean children suffer from malnutrition in North Korea, and North Korean children or children of one North Korean parent who are living outside of North Korea may face statelessness in neighboring countries; and

(2) the Secretary of State should advocate for the best interests of these children, including, when possible, facilitating immediate protection for those living outside North Korea through family reunification or, if appropriate and eligible in individual cases, domestic or international adoption.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) HAGUE COUNTRY.—The term ''Hague country'' means a country where the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague May 29, 1993, has entered into force and is fully implemented.

(3) NON-HAGUE COUNTRY.—The term ''non-Hague country'' means a country where the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague May 29, 1993, has not entered into force.

SEC. 4. BRIEFINGS ON THE WELFARE OF NORTH KOREAN CHILDREN.

(a) IN GENERAL.—The Secretary of State shall designate a representative to regularly brief the appropriate congressional committees in an unclassified setting on United States Government efforts to advocate for the best interests of North Korean children and children of one North Korean parent, including efforts to address, when appropriate, the adoption of such children living outside North Korea without parental care.

(b) CONTENTS.—The Secretary's designee shall be prepared to address in each briefing the following topics:

(1) The analysis of the Department of State of the challenges facing North Korean children residing outside North Korea and challenges facing children of one North Korean parent in other countries who are fleeing persecution or are living as de jure or de facto stateless persons.

(2) Department of State efforts to advocate for the best interest of North Korean children residing outside North Korea or children of one North Korean parent living in other countries who are fleeing persecution or are living as de jure or de facto stateless persons, including, when possible, efforts to address the immediate care and family reunification of these children, and, in individual cases where appropriate, the adoption of eligible North Korean children living outside North Korea and children of one North Korean parent living outside North Korea.

(3) Department of State efforts to develop a comprehensive strategy to address challenges that United States citizens would encounter in attempting to adopt, via intercountry adoption, North Korean-origin children residing in other countries or children of one North Korean parent residing outside North Korea who are fleeing persecution or are living as de jure or de facto stateless persons, including efforts to overcome the complexities involved in determining jurisdiction for best interest determinations and adoption processing, if appropriate, of those who habitually reside in a Hague country or a non-Hague country.

(4) Department of State diplomatic efforts to encourage countries in which North Korean children or children of one North Korean parent are fleeing persecution or reside as de jure or de facto stateless persons to resolve issues of statelessness of North Koreans residing in that country.

(5) Department of State efforts to work with the Government of the Republic of Korea to establish pilot programs that identify, provide for the immediate care of, and assist in the family reunification of North Korean children and children of one North Korean parent living within South Korea and other countries who are fleeing persecution or are living as de jure or de facto stateless persons.

Amend the title so as to read: ''An Act to express the sense of Congress regarding North Korean children and children of one North Korean parent and to require the Department of State regularly to brief appropriate congressional committees on efforts to advocate for and develop a strategy to provide assistance in the best interest of these children.''.

The SPEAKER pro tempore (during the reading). Without objection, the reading is dispensed with.

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

WAIVING THE REQUIREMENT THAT MEASURES ENROLLED DURING THE REMAINDER OF THE ONE HUNDRED TWELFTH CONGRESS BE PRINTED ON PARCHMENT

Ms. ROS-LEHTINEN. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration in the House.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 147

Resolved by the House of Representatives (the Senate concurring), That pursuant to the last sentence of section 106 of title 1, United States Code, the requirement of section 107 of such title that the enrollment of any bill or joint resolution be printed on parchment is waived for the duration of the One Hundred Twelfth Congress, and the enrollment of any such bill or joint resolution shall be in such form as may be certified by the Clerk of the House of Representatives or the Secretary of the Senate (as applicable) to be a truly enrolled bill or joint resolution (as the case may be).

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1230

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.

CONGRESSIONAL PAY FREEZE AND FISCAL RESPONSIBILITY ACT

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6726) to prevent the 2013 pay adjustment for Members of Congress and persons holding other offices or positions in the Federal Government from being made.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6726

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 ''Congressional Pay Freeze and Fiscal Responsibility Act''.

SEC. 2. ELIMINATION OF 2013 PAY ADJUSTMENT.

(a) IN GENERAL.—Section 147 of the Continuing Appropriations Act, 2011, as amended by section 114(a) of the Continuing Appropriations Resolution, 2013 (Public Law 112–175; 5 U.S.C. 5303 note), is amended—

(1) in subsection (b)(1), by striking the matter after ''ending on'' and before ''shall be made'' and inserting ''December 31, 2013,''; and

(2) in subsection (c), by striking the matter after ''ending on'' and before ''no senior executive'' and inserting ''December 31, 2013,''.

(b) ELIMINATION OF DELAYED ADJUSTMENT.—Section 114(b) of the Continuing Appropriations Resolution, 2013 is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, for the last 2 years, Oversight has worked diligently. Our professionals have worked, to a certain extent, against their own best interest. They've found excesses in pay and compensation within the Federal system and moved with careful detail to try to reduce those amounts, make them more commensurate with the private sector. Currently, Federal workers receive typically over $100,000 and are about 16 percent higher compensated than their private sector counterparts.

Today we will consider something on the fiscal cliff, but before we do it, I felt it was important to deal first with this bill. And so I'm happy, in a few

moments, to recognize Mr. FITZPATRICK, the author of this bill, which is very narrow, but simply says that the President cannot and should not add about $11 billion to the deficit by the stroke of a pen, by an executive order at a time in which he's negotiating to try to raise taxes to earn maybe another $60 billion or $70 billion, at most, for the Federal Treasury.

So this will stop the Federal workers from receiving a pay increase. It will not stop their step increases. It will not stop their merit increases. It will not stop a great many other increases in their pay and compensation. But it will say that, at this time, when the American people are not getting automatic cost-of-living increases, neither should the Federal workforce.

And oh, by the way, Mr. Speaker, neither should you, neither should the ranking member, neither should I. And this bill stops us from giving ourselves a pay increase that the President has asked for.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Speaker, in order to allow the author of the bill to speak, I reserve the balance of my time.

Mr. ISSA. I yield such time as he may consume to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Speaker, the American people do not get an automatic pay increase, and neither should Members of Congress.

My bill, the Congressional Pay Freeze and Fiscal Responsibility Act, gives us the chance to show the American people that, at least in this regard, that we do get it: freeze salaries now, including for Members of Congress, at current levels.

Mr. Speaker, there are too few opportunities in this town where issues can bring us together. The President has done that for us this week. Unbelievably, in the middle of talks this week on tax rates and sequestration revision, in the midst of high deficits and a growing national debt, the President has proposed pay increases for Members of Congress, and has done so by executive order dated December 28.

I have to say that nobody in this town saw this coming, and very few think it is warranted. The Congress has not produced a budget in 3 years because the Senate refuses to do their job. The last thing they need is a pay increase. In fact, the No Budget, No Pay Act should be the law of this land. If you don't produce a budget within the prescribed period of time, you should not get paid. And if you a produce a budget after the proscribed period of time, you should not get paid retroactively.

Mr. Speaker, this is common sense, but common sense just isn't too common in this city, and there's no sense at all in the President's executive order to increase pay at this time—not now, not under these circumstances, and not in this economy. It is an action taken unilaterally by the President, which has earned an immediate and almost universal scorn, as well it should.

As we close out 2012, there are still too many issues unresolved. There are too few instances of accomplishments or results. Our economy is still at risk, and the American people are still struggling. American workers have given all they can. Have we? Have we given all that we can?

I'm glad to see that so many in this Chamber have cosponsored this measure. And in the past 24 hours, I've seen comments from Democrats and Republicans expressing outrage at the President's unilateral executive order. A Democrat in the Senate called it the worst idea ever. A Democrat in this House has called it inappropriate.

So, extend the pay freeze for all Federal workers, including elected officials. This bipartisan policy was originally put in place by our Democrat colleagues because they recognized that the pain being felt across our economy could not be reserved for the private sector.

Federal workers in my district and across the country are hardworking individuals. They deserve fair compensation too. Mr. Speaker, we're not trying to punish or force unnecessary hardship on civil servants, but taxpayers should not be taking home less than Federal workers.

Recent studies have shown that the average Federal worker earns 20 percent more than a private worker in a similar position. This disparity is even wider when benefits are taken into account. We have to recognize that over recent years there's been a growing disparity between the compensation for Federal workers and their counterparts in the private sector, and, quite frankly, that sends exactly the wrong message at exactly the wrong time.

The President's own Debt Commission, which has thus far been ignored by the President, recommended a 3-year pay freeze for Federal Government workers. If it would have been adopted at that time, that pay freeze would have lasted through 2013, the same period of time that this bill proposes.

Of course, we all agree that the men and women of our Nation's military deserve a pay increase while our Nation is at war. This bill provides that members of the Armed Forces will continue to be eligible for the pay increases that have been supported by me and a strong bipartisan majority of my colleagues.

Mr. Speaker, we hear a lot of talk from some of our colleagues about shared sacrifice. Higher taxes from ObamaCare are coming, and tax rates for certain businesses and individuals are going to go up. The private sector and small businesses are being asked to sacrifice.

What kind of a message does it send if, at the same time, Members of Congress, the administration, and the Federal Government get a pay raise? That is exactly the wrong message at exactly the wrong time.

I urge my colleagues to support this bill and to send the American people the strong message that the public sector and elected officials do not consider themselves exempt from the economic realities of our time.

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

Mr. Speaker, I rise in strong opposition to this bill, H.R. 6726, which seeks to extend the pay freeze on the dedicated men and women of our civil service for the third consecutive year.

□ 1240

This is a pig in a poke.

From the outset, let me be clear. I strongly support freezing the salaries of Members of Congress. I've signed a letter to do that. And if this bill did only that, I would be an original cosponsor. But it doesn't. The Senate last night did just that. It froze our salaries. But it didn't do this. It didn't extend that freeze for a third year to the men and women who serve our country in Federal service.

The bill before us today, which cynically pairs a pay freeze for us in Congress with a continuation of the pay freeze on career civil servants, is yet another tired, duplicative, and cheap shot at our Nation's dedicated Federal workforce. It's one last parting shot in the dying days of this Congress, which cannot die too soon.

If Members of Congress and the public simply take a look at the scoreboard, they'll see that, with respect to the deficit reduction, Federal workers not only have borne a disproportionate share of the cost, they've virtually borne the only share of the cost. Federal employees have contributed already $103 billion toward deficit reduction through an extended pay freeze that continues to this day—and benefit cuts.

For example, Federal workers have contributed $60 billion towards deficit reduction as a result of the 2-year pay freeze covering 2011 and 2012. The recent pay freeze extension through March of this year adds another $28 billion. This total also includes the $15 billion contribution that will be made by Federal new hires who, starting next year, will see their pay decrease by 2.3 percent as contributions to their pensions are raised compared to current civil servants, with no commensurate increase in benefits. Meanwhile, this inequity is amplified when one compares the financial sacrifice made by our dedicated civil service to the deficit reduction contributions made by millionaires and billionaires over the past 2 years.

I might add, as if it weren't enough, my friends on the Republican side of the aisle actually tried for the first time to finance transit in America—in a transportation bill that died an ignominious and well-deserved death—$50 billion by having these same pension benefit cuts on existing civil servants, which would have added $50 billion

more to the deficit reduction cost only apportioned to Federal workers. Meanwhile, if I'm not mistaken, compared to the $103 billion deficit reduction contribution by Federal employees, the deficit reduction sacrifices—that shared sacrifice my friend from Pennsylvania referred to—has demanded of millionaires and billionaires adds up to a grand total of zero. Yet, despite these facts, there are still some attempting to squeeze even more deficit reduction out of Federal workers, even as they seek to protect the millionaires and billionaires who have yet to make any contribution to debt reduction in this country.

Republicans in the 112th Congress have treated Federal employees like America's piggybank, dipping into pay and benefits to help pay for everything from the payroll tax cut to unemployment benefits to transit in the transportation bill.

Federal employees are on the front line of communities throughout America. They defend America. They serve side-by-side with our military in theaters of war. They put out fires. They process Social Security checks. They deal with the sick and they deal with our children. They protect our borders. I strongly oppose any attempt to cut benefits and wages that Federal employees have earned by providing essential services to all Americans.

Given the very small share of the Federal budget represented by Federal employees' salaries, further reducing their pay and benefits is not rational and not an effective way to reduce our Nation's debt. It's picking on them.

I urge my colleagues to vote against this bill, and I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I would trust that the gentleman was unaware that Mr. FITZPATRICK also does have a bill that only freezes our pay, and it does not bear the gentleman's name as a cosponsor. Perhaps he can correct that today.

I yield 4 minutes to the gentlelady from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank the gentleman from California. I thank Mr. FITZPATRICK for his bill as well.

I, too, was shocked when I saw that the President of the United States, out of nowhere, at no request from any Member of Congress, had issued a unilateral executive order, which means he decided to take the law into his own hands and, in effect, become his own Congress and decide unilaterally, at the height of the fiscal cliff debate, that he would throw a new wrench into that argument, and it would be this:

When there is massive uncertainty, unfinished business, he would decide that he would unilaterally give a pay increase to the United States Congress exactly when the public is uncertain and doesn't know what is going to happen. Will their taxes go up? Will they no longer be the recipient of a spending program?

And so now Congress is going to get a spending increase?

This was a cynical planned move, Mr. Speaker, on the part of our President. He brought great drama to this effort, unnecessary drama. Because, you see, this House of Representatives already did this job to avert the fiscal cliff. We did this work. It was completed last August. We said that no one's taxes need to go up, and we were able to offset any spending cuts. The work was done. The problem is the Senate never took up the completed work of the House, and the President of the United States spent the last half of this year continually castigating the House of Representatives for not having this work done when we did our work.

And so out of nowhere, again, not at the request of Congress, the President decided to make a very unlovely party to this conversation—the Congress—even less palatable by putting upon us the idea that we wanted to raise our own salary when we had nothing whatsoever to do with that. That's why over the weekend I directed my staff that we would put forth a bill to take away this unilateral increase in salary for Congress at the President's hand. We put our bill together. Mr. FITZPATRICK put his bill together. We both introduced bills yesterday.

And I'm very happy to be a part of this bill, as every Member of Congress is happy to be for this bill, because, after all, this had nothing to do with the conversations. This was a cynical effort on the part of the President—and I believe nothing more cynical than the fact that the current agreement with the fiscal cliff was agreed to, we're told, somewhere around 11:30 last night. The bill was voted on at 2:00 in the morning. Again, this is New Year's Eve. I don't know how many Senators between midnight and 2 a.m. in the morning had a chance to thoroughly read this agreement that's 157 pages long.

You see, this is not how we should run our government. This is drama, unnecessary drama. And President Obama bears the responsibility for his failure to lead and his intentional effort, it appears, to mislead the American public with this cynical bill. That's why we are here this morning, to clarify the President's action. This was not at our behest, and we are rejecting this measure today to increase Congress's salary.

Mr. CONNOLLY of Virginia. I must say I appreciate the gentlelady's points about cynicism. But Federal workers and the American public might be forgiven for thinking that it is cynical to be decrying a last-minute deal necessitated by the fact that the House has been out for 15 of the last 19 weeks in recess instead of doing its business here on the House floor, which is why we're here today.

By the way, I also want to appreciate, because I know it wasn't a cheap shot, and I know that the distinguished chairman of the committee was trying to inform me of the fact that a bill I was not aware of was introduced yesterday. If there is a clean bill introduced by my friends from Minnesota and Pennsylvania simply to freeze congressional salaries, I'm only too happy to cosponsor it. I know that will reassure my friend, the chairman of the committee.

I now yield such time as he may consume to the distinguished ranking member of the Oversight and Government Reform Committee, the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. I want to thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 6726, which would extend the pay freeze on Federal employees through the end of 2013 and eliminate the pay adjustment for Members of Congress.

I think we need to be very careful in this discussion. As my distinguished colleague from Virginia just stated, I don't think there's any Member of Congress that is against freezing the pay of Members of Congress. If I had known about the bill, I would have cosponsored it. I don't know when it was filed, but I would have cosponsored it, as he said he would have also. But this is a different issue.

□ 1250

I cannot understand why the House is considering this bill right now. The Senate just approved a landmark deal to avert the fiscal cliff with widespread bipartisan support—a vote of 89–8. Acting on the fiscal cliff legislation as soon as possible should be our first and most urgent order of business this afternoon. But instead, this bill—which is yet another assault on very hardworking, middle class American workers—was introduced not very long ago. Is this really the way the majority wants to begin the new year?

Members of Congress certainly can do without a pay adjustment. And the bill passed by the Senate last night to resolve the fiscal cliff already includes a provision freezing Members' pay. I plan to vote for the package that came out of the Senate, assuming it stays in its present form. But Federal workers are the backbone of our government. Let me say that again: Federal workers are the backbone of our government. They're the ones who support our troops in the battlefield. They are the ones who provide care to our veterans. They're the same ones that bring about cures for dreadful diseases at NIH. They are the ones that protect our borders and safeguard our food supply. They're the same ones that ensure our seniors get their Social Security checks and help hunt down terrorists like Osama bin Laden. They're the same ones.

In return for their hard work and dedication, the majority has rewarded Federal workers with an unprecedented assault on their compensation and on their benefits. This has included proposals to arbitrarily cut the number of Federal workers. All you've got to do in my district, when you go and visit a

place like Social Security and you talk to the employees—many of whom are my constituents—employee ranks are being decimated. People are working harder and harder without the help that they need. Our colleagues have gone on to slash retirement benefits and now with the most recent proposal to extend the current 2-year pay freeze for yet another year.

I know all kinds of studies are presented to say that Federal workers are making a whole lot of money. Well, maybe we need to walk around and do a little survey of our own and talk to some of the people who work around here. Go to some of these Departments, Agriculture, the various Agencies, and talk to them. Talk to some of the ladies who may be a single-mother household making $45,000 a year; talk to her about a pay freeze. Talk to the gentlemen who moved our offices—we've seen them all in the House throughout our buildings—ask them about the pay freeze. Talk to them, and I think they will tell you another story.

Millions of middle class Federal workers have already sacrificed more than $100 billion in the name of deficit reduction and to pay for the extension of unemployment benefits to millions of other workers; yet our House Republicans insist on raiding their pay and their benefits again. Enough is enough.

We need to put aside this legislation and take up the fiscal cliff legislation immediately. The Senate has done its work, and now it is our responsibility.

The one thing we should not do is let the markets open tomorrow without the fiscal cliff being resolved. As I listened to my good friend, Mr. FITZPATRICK, talk about this provision with regard to making sure that Members of Congress not get a pay increase—and I agree with him totally—I hope that he will also join me when I vote for the legislation that has been sent over here by the Senate since it contains that very, very important provision.

With that, I wanted to thank again the gentleman for yielding.

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

The ranking member made a good point, and in this body you should always go along with that which is true and oppose that which is false. The gentleman made an excellent point: we do have hundreds of thousands of hardworking Federal employees. They deliver to the American people a good product. The vast majority of them, if you ask them, do not feel they're overcompensated. They've worked hard; they're highly educated; in fact, they're not overpaid in many ways. They do, in fact, have a very generous defined benefit plan, something the American people usually don't have, something that would guarantee them a pension over and above their 401(k). And automatically it increases with inflation; automatically it is funded. That's true whether you're a postal worker, a Member of this body, or the executive branch.

We're not arguing whether or not the Federal worker is dedicated at all. We're arguing whether this is the right time to add $11 billion to a $10 trillion deficit that we're not dealing with. We have a $10 trillion deficit after today's action on ''ending the cliff'' that is still going to be projected. It hasn't been scored exactly, but it will still be over $1 trillion this year—and if history repeats itself, for every remaining year of the Obama administration.

Now, the gentleman from Maryland did say one thing that perhaps was not accurate—and he didn't mean to. He said, well, if you ask people around here. Well, perhaps he forgot that here in the House of Representatives, this entire body—except for congressional salaries, which are stipulated under the Constitution—we have, in fact, had to deal with a 5 percent reduction year over year in actual money available to run the House, and in the next year, 6.4 percent; meaning, we have dropped more than 11 percent in the dollars spent—not in some hypothetical base plus, but in the dollars spent we have dropped more than 11 percent under Speaker BOEHNER.

That kind of a cut has not been duplicated by the executive branch. Had it been duplicated by the postal workers, we wouldn't have a $12 billion loss there. Had it been duplicated by the executive branch, to be honest, Mr. Speaker, we would be talking today about how can we cut anymore and both sides would be agreeing. We haven't made an 11 percent drop in actual spending in 2 years. Had we done that, we wouldn't be looking at a hundred percent growth in the last 12 years in the cost of government.

With that, I reserve the balance of my time.

Mr. CONNOLLY of Virginia. I would inquire of the Chair how much time remains on this side.

The SPEAKER pro tempore. The gentleman from Virginia has 9½ minutes; the gentleman from California has 6 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, I would simply observe to my friend, the chairman of the committee, in talking about the 11 percent cut here in the House of Representatives, of course that does not address the lack of productivity here in the House. There are many Americans who might think that that cut is deserved given how little got accomplished in the 112th Congress—one of the least productive Congresses in American history.

Mr. ISSA. Will the gentleman yield?

Mr. CONNOLLY of Virginia. I would normally yield, but I would remind my friend, Mr. Speaker, that he would not yield to me when he made his comments about cosponsorship of the piece of legislation, and so I reluctantly will not yield.

I now yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this so-called ''Federal worker pay freeze.'' As the ranking member of the Subcommittee on the Federal Workforce, we have witnessed a deliberate effort over the past 2 years of the Republican majority to undertake a series of legislative attacks on our middle-income Federal workers, and this bill is no different.

Despite the title of this legislation, this bill would extend the current statutory pay freeze for all Federal civilian employees—the vast majority of whom are middle class earners—through 2013.

In place of a balanced approach to deficit reduction based on a genuine commitment to shared sacrifice, this bill again seeks to target Federal employees who are already in their second year of a 2½-year pay freeze. Collectively, because of the pay freeze that's been in effect for the last couple of years, these same Federal workers have already contributed over $100 billion towards deficit reduction and continued unemployment benefits for other workers.

I'd like to note that I am not opposed to a pay freeze for Members of Congress. I think we should lead by example. In fact, I have voted for pay freezes for congressional pay on six different occasions.

□ 1300

Regrettably, however, this legislation continues the concerning trend throughout the 112th Congress of attempting to address deficit reduction on the backs of middle-income workers in the Federal Government again by attacking their take-home pay. These are the dedicated folks who work at our VA hospitals; they protect our borders; they care for, again, our wounded veterans; they run the research facilities in researching cures for deadly disease, and they provide services to the Defense Department and the State Department. So these are the people that are doing the hard work, and this is not a way to repay them. Again, they are already in the second year of a 2½-year pay freeze.

I agree that that pay freeze should apply to me and other Members of Congress; however, these hardworking fellow employees should not be asked to carry even more of this burden.

I thank the gentleman for yielding.

Mr. ISSA. Mr. Speaker, I know my friend from Virginia means well, but, once again, he talks about a lack of accomplishment. Apparently, he hasn't looked at the work that the clerks have done here on the floor. He hasn't looked at the work that CBO, the Congressional Budget Office, has done, or the Government Accountability Office. Those are all funded, and yet we had an 11 percent reduction in spending.

So, in fact, when we're talking about the hardworking men and women of the government, this branch has found a way to reduce spending by over 11

percent in spite of the hardworking men, not just here on the floor and in our offices, but the Governmental Accountability Office, the CBO and others.

With that, I reserve the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Speaker, before I call on the distinguished Member from Virginia, I would simply note, of course, the productivity I talk about is the productivity of this legislative body, not the honorable men and women who serve us, but for us.

And we passed a fewer number of bills in living memory. We have been out for 15 weeks since August instead of doing the people's business. That is one of the least productive records in American history, and no words are going to change that, not in the history books and not in the minds of the American public that is showing its disapproval of that productivity with the low approval ratings of this Congress.

I now am pleased to yield 3 minutes to the distinguished Member from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, I thank my very good friend who has been tireless in representing not just the interests of his constituency but of this great country.

Mr. Speaker, first of all, and it may seem petty, but if it were done by the other side, it would be a big deal. This bill was dropped at about 20 past 12 today and then it was brought up. Now, in less than an hour, we drop a bill and we bring it to the floor? That's not the way to do business. The caucuses are involved in other things. The whole Democratic Caucus is talking to the Vice President, and here we are about to do something of real consequence, not just for Federal employees and the Members of Congress, but for the country.

First of all, as my very good friends, Mr. LYNCH and Mr. CONNOLLY, have pointed out, Federal employees have contributed now over $100 billion toward deficit reduction. They have had their pay frozen for 2 years. This will be a third year. New hires are going to have to contribute four times as much into their pension as they would have to today. So they're really being made a scapegoat. And we're doing this at a time when we're trying to compete in a global economy.

Now, what happens is we send a message to Federal employees that if you can get out, get out. We don't really appreciate what you're doing for the public sector. Get into the private sector. Most of you can make two or three times what you're making in the public sector. So this is a good time to go, because otherwise your family is going to have to suffer and you're not going to be able to achieve the kind of quality of life that your talents, experience, and skills would merit, and we're going to continue doing this to you individually and collectively.

That's not the way to run a government. We pass all these laws, we pass appropriation bills, and then it's the executive branch's responsibility to carry them out. How do we think we can pass these laws and then expect people to carry these laws out with efficiency and effectiveness when we take $100 billion out of their compensation? What kind of a message does that send to the people who serve us directly and all of the American people's interests in terms of their ultimate mission? It sends all the wrong message.

Now, I know people don't care much about the procedural issue, but, boy, what a precedent to set.

Mr. ISSA. Will the gentleman yield?

Mr. MORAN. Yes, I yield to the gentleman.

Mr. ISSA. I might note for the gentleman, it was posted last night, which means it was actually posted before the cliff bill. The technical dropping is a different rule. But it was posted, so it was available to all Members last night. And, of course, as you know, it's very simple. We simply freeze, and that's not hard for people to understand. I hope the gentleman understands a half percent freeze is all this bill does.

Mr. MORAN. I trust the gentleman will yield me the 30 seconds that he took to explain that.

Mr. ISSA. I would be delighted to yield the gentleman 15 seconds.

Mr. MORAN. I thank the chairman.

The point is: you drop it on New Year's Eve. I'm not sure if that isn't a distinction without a difference, really. There's been no time to review this. Nobody's focused on this.

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

Mr. CONNOLLY of Virginia. Mr. Speaker, I yield the gentleman an additional 15 seconds.

Mr. MORAN. I would hope the gentleman who chairs Oversight and Government Reform would recognize, as Mr. CONNOLLY and Mr. LYNCH have recognized, that there are some very serious risks in going forward with this. I don't think that the way to solve our deficit situation is to cut off our nose to spite our face, and that's really what we are doing here. This is not fair to the Federal workforce, it's not fair to the country, and it should not be passed today.

Mr. ISSA. Mr. Speaker, I note, once again, that this is a half a percent that will not be increased by this action—half a percent—so on $100,000 it's $500 of a pay raise that will not occur for Federal workers, and, in fact, the sky is not falling if we choose not to have that happen this year.

With that, I'd like to yield 1½ minutes to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. Mr. Speaker, our Nation is on the verge of going over a fiscal cliff because Washington has a spending problem. President Obama still does not understand this problem as he has recently issued an executive order granting pay increases to most civilian employees and to Members of Congress. I believe that, given our current economic climate and huge Federal deficits, these raises are grossly inappropriate and represent an insult to hardworking American taxpayers. These factors have prompted me to join this legislation to halt these unnecessary salary increases.

You have heard arguments today that Federal workers are being victimized by this legislation. Well, here are a few facts that will rebut that assumption:

One, the income of the average American private sector family has gone down about $4,000 during the last 4 years;

Number two, Federal workers, on average, earn pay and benefits that are equal to about twice that of their private sector counterparts;

Number three, Federal workers pay an amount into their Federal retirement plan that is less than one-tenth of the amount that private sector employees have to pay into Social Security; and

Four, last year, hardworking American taxpayers had to pay about $40 billion to subsidize the insolvency of the Civil Service Retirement System.

Mr. Speaker, for these reasons and the huge deficits of our Federal Government, I support this legislation wholeheartedly.

Mr. CONNOLLY of Virginia. Mr. Speaker, I have an inquiry. How much time remains on this side?

The SPEAKER pro tempore. The gentleman from Virginia has 2¾ minutes remaining. The gentleman from California has 3½ minutes remaining.

Mr. CONNOLLY of Virginia. If I may inquire, Mr. Speaker, if my colleague on the other side has any other speakers?

Mr. ISSA. Not at this time, so I would simply reserve the right to close.

Mr. CONNOLLY of Virginia. I'm prepared to wrap up and yield back, and I yield myself such time as I may consume.

Mr. Speaker, I'm worried about the future of the Federal workforce's continued denigration of public service. Continued whacking away at compensation and benefits that make it an attractive career choice for so many young people is going to make it much harder to recruit and retain the skilled workforce of the future. And despite what my colleague just indicated—I'm not quite sure where he got his statistics—the Federal Salary Council, which looks at Federal salaries every year, concluded that Federal employees earned, in 2011, 26.3 percent less than their private sector counterparts and, this year, 34.6 percent less. A CBO study found that people in the Federal workforce with a Ph.D. degree earn 23 percent less than their private sector counterparts, and if you had a bachelor's degree, roughly 23 percent less, and only in the high school level did

they actually earn more, 21 percent more.

□ 1310

Actually, we've got a problem. As we look at the baby boom generation getting ready to retire, 47 percent of the entire existing workforce is eligible for retirement over this next decade. How will we recruit and retain that workforce if we're going to continue to use them not only as a piggy bank to finance the deficit, but perhaps more disgracefully as a punching bag in terms of disparagement of service? We are far away from John Kennedy's call to serve your country.

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

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

Mr. Speaker, in closing, this bill is going to pass, and it's going to pass likely on a bipartisan basis because it would be the ultimate in inappropriate behavior by this body to allow our pay to be raised. This is something I think that both sides have said fairly straightforward that this is not a time in which Members of Congress should take their $174,000 salary and increase it. I don't believe we've earned it this year. By the way, I believe the President's salary will not go up and the Vice President's salary will not go up, and that is also appropriate.

But as we look at the hardworking men and women of the Federal workforce and look at my colleagues from Virginia who spoke and my colleague from Maryland who spoke, the point that the Federal workforce should be listening to today is that, in fact, it's not how hard they work; it's what can the American people afford. We cannot afford to continue these deficits. It's not how hard they work. It is the inefficiency and waste not just in their office, but in the way government is organized.

Mr. Speaker, everyone had a New Year's resolution, I trust, last night. For all of us, I'm sure it was to lose a little weight, do a few other things that we haven't been doing; but for me particularly, it's to go after the duplication in government, to go after the organizational flaws in government that would allow us to be less critical, perhaps, of what we can afford from our Federal workforce and more proud of the fact that it is organized for efficiency.

Mr. Speaker, in closing, the President called for reorganization authority and then did nothing in his first term. It is my goal to give him reorganization and a reorganizational plan. It is my committee's obligation to do that.

As I vote today to freeze our pay and to freeze all of the Federal workers' pay, I do so recognizing that the best way for Federal workers to get a pay raise without it being on the backs of the American people is for us to reorganize government, whether it's in information technology or any other goods and services that Federal Government delivers. We can do better. We can take waste out of Medicare, and we can take waste out of all aspects of the Federal Government.

Mr. Speaker, I know this bill will pass on a bipartisan basis because it's appropriate to do here today. I urge its support, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong opposition to H.R. 6726, a bill that aims to claw back the .5% COLA promised to federal employees when the Continuing Resolution expires in March of this year. While I do not oppose the provision of the bill that freezes the pay for Members of Congress, I cannot support a measure that asks federal employees who have already disproportionately sacrificed so much for deficit reduction to sacrifice even more.

This bill is yet another assault on the middle-class Americans who work to ensure that the food we eat and the water we drink are safe. These dedicated public servants protect our airports, care for our injured veterans and guard our borders. And yet, as this bill proves, their service and sacrifices are not valued by many in Congress who, when they look at federal employees can only see their pensions and pay and benefits as a source they can turn to anytime they need extra cash.

Federal workers have contributed $60 billion as part of a two-year pay freeze; they contributed $15 billion more as part of the Payroll Tax Extension; and the Continuing Resolution the government is currently operating under asked them to forgo, until March, the .5% COLA they were promised this year. If this bill passes, the two year pay freeze Federal employees are currently laboring under will be extended for another year. Enough is enough!

Members of Congress can afford to go without a pay raise, but Federal employees should not be treated as if they were the federal government's piggy-bank.

I ask my colleagues to join me in opposing this bill so that we stop wasting our time in the dying hours of this Congress and instead focus our attention on the important business of moving the bipartisan package that the Senate passed yesterday to address the Fiscal Cliff.

Ms. McCOLLUM. Mr. Speaker, with regard to H.R. 6726, this is a bill to deny all federal civilian employees a 0.5% pay increase after they have endured two consecutive years of a mandatory pay freeze. This bill unfairly punishes federal employees who have already sacrificed significantly during difficult economic times. By denying federal employees even a modest salary adjustment this Republican bill strangles the federal workforce, making federal service an ever less attractive career option for America's best and brightest.

This bill also denies a modest cost of living increase to Members of Congress. If House Republicans want to deny a pay increase for Members of Congress then they should have put forward a clean bill that does not punish the federal civilian workforce.

Last night the U.S. Senate passed the bipartisan amendment to H.R. 8 that prevents a tax increase for 98% of American taxpayers. In Section 902 of that legislation is language denying a cost of living increase to Members of Congress in 2013. If my Republican colleagues really want to deny Congress a pay increase that has a chance of becoming law then I urge them to vote for the Senate's bipartisan agreement that raises taxes on millionaires and billionaires and cuts taxes for middle class families.

Mr. CURSON. Mr. Speaker, I rise in opposition to this bill that would extend the current two-and-half year pay freeze for federal employees.

Unlike others in the middle class, federal employees are the LONE segment that has made sacrifices that are directly dedicated to deficit reduction. Federal employees have sacrificed $60 billion dollars in lost wages over 10 years for deficit reduction, they have been forced to pay 50% of the cost of the Unemployment Insurance extension, contributing another $15 billion, and their contribution to their pension from their pay has significantly been raised, further depleting their available cash to take care of daily necessities.

These impacts are being felt by hard working employees, critical to our nation, who are by no means the highly paid federal employees. We are talking about nursing assistants in VA hospitals that care for our wounded veterans who make only $27,000 a year or prison correctional officers at 38,000 who face our most dangerous criminals daily. Once again, regular working men and women are being asked to sacrifice in the name of national debt reduction, and yet this Congress has yet to pass a SINGLE tax increase on the wealthiest Americans.

Federal employees earn and deserve their wages. These workers will purchase goods and services, pay off bills and put this money right back into our economy. The burden of deficit reduction should be shared, not placed squarely on the back of America's middle class.

One more point—to be clear passage of this bill will include a pay raise for members of Congress—a raise they do not deserve. We can remedy that misfortune by passing the American Taxpayer Relief Act of 2012 which specifically restricts an increase in Members of Congress pay.

Mr. WOLF. Mr. Speaker, Members of Congress do not deserve a pay raise. I won't accept one. In fact, all of us should have our pay docked, as should the president. But that's not what this vote is about. It's time for members of both parties to stop attacking our Nation's hardworking civil servants.

Unlike other sectors of our society, since the beginning of 2011, federal employees, as a result of reduced compensation and benefits, have already made significant contributions to efforts to reduce our Nation's deficit. I know that every federal employee continually is willing to contribute to efforts that address our Nation's unfunded spending obligations and liabilities. However, they also rightly expect that others will join them in this effort.

The legislation before us could have a significant impact on our ability to recruit and retain qualified employees.

Has anyone fully considered the impact that a three-year pay freeze will have on the CIA, the NSA, the National Reconnaissance Office and the National Counter Terrorism Center?

Or the impact on the FBI, which has, since 9/11, disrupted scores of terrorist plots against our country?

Or the impact on our military, which is supported by federal employees every day on military bases across the Nation?

Or the impact on VA hospitals across the country, which are treating military veterans from World War II to today?

Or the impact on the Border Patrol?

Or the impact on NASA, its astronauts, engineers and scientists, especially on the nine-year anniversary of the tragic loss of the Columbia crew and a week after the 45th anniversary of the loss of the Apollo 1 crew?

Or the impact on NIH, and other federal researchers, scientists and doctors?

Clearly, federal employees don't just sit behind desks. They are members of our communities who are out in the field, often in harm's way, protecting our Nation. Within the last year, residents in northern Virginia mourned the loss of two federal employees who died in the line of duty—U.S. Park Police Sergeant Michael Andrew Boehm of Burke, and National Park Service Ranger Margaret Anderson, who previously worshipped in Lovettsville.

Their sacrifices remind us that many federal employees are often put in dangerous situations. Since 1992, nearly 3,000 federal employees have paid the ultimate price while serving their country, according to the Office of Personnel Management. The first American killed in Afghanistan, Mike Spann, was a CIA agent and a constituent of mine from Manassas Park. I attended his funeral. Over 100,000 CIA, FBI, DEA agents, and State Department employees have served side-by-side with our military to carry out the War on Terror in locations such as Iraq and Afghanistan. Three years ago, I attended funerals for some of the seven CIA agents who were killed by a suicide bomber at Forward Operating Base Chapman near Khost on the Afghanistan-Pakistan border.

Our Nation mourns the loss of the four Americans who died during the attack on the U.S. consulate and annex in Benghazi, Libya, U.S. Ambassador J. Christopher Stephens, U.S. Foreign Service Officer Sean Smith, and two former Navy Seals, Glen Doherty and Tyrone Woods.

And we should not forget that the CIA agents who planned and helped execute the raid that killed Osama Bin Laden are federal employees.

Every day, Border Patrol agents and ICE agents are working to stop the flow of illegal immigrants, victims of human trafficking and drugs across our borders. Federal firefighters work to protect federal lands and mitigate the spread of deadly fires. Immediately following the December 2011 shooting at Virginia Tech, some of the first law enforcement officers on the scene were ATF agents. These are but a few examples of the vital jobs performed by federal employees.

Federal employees who are not in harm's way on a daily basis are also dedicated public servants. The medical researchers at the National Institutes of Health working to develop cures for cancer, diabetes, Alzheimer's, Lyme disease and autism are all federal employees. Dr. Francis Collins, the physician who mapped the human genome and serves as director of the NIH, is a federal employee. The CDC employees tracking steroid shots tainted with meningitis are federal employees. The USDA researchers who work with our farmers to find solutions for the invasive species that are destroying our crops are federal employees. The National Weather Service meteorologists who track tornadoes and hurricanes, as well as the FDA inspectors working to stop a salmonella outbreak, are federal employees.

The Nation's debt limit has been reached. We have annual deficits of more than $1 trillion. We are facing the prospect of across-the-board cuts to programs from the sequester. All of our Nation's fiscal problems could be resolved if the Congress had the will to pass the bipartisan Simpson-Bowles proposal, which I have long supported and have voted for.

I vote no.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 6726.

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. ISSA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

LIEUTENANT RYAN PATRICK JONES POST OFFICE BUILDING

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3662) to designate the facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, as the ''Lieutenant Ryan Patrick Jones Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3662

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 ''Lieutenant Ryan Patrick Jones Post Office Designation Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) First Lieutenant Ryan Patrick Jones volunteered to serve the United States in the Army.

(2) Lieutenant Jones earned his rank, the Army Achievement Medal, the Purple Heart, the Bronze Star, the Iraqi Freedom Medal, the Combat Action Badge, and the War on Terrorism Badge through his dedication to the highest ideals of the United States.

(3) Lieutenant Jones chose from a young age to generously volunteer his talents to his community, and was recognized with academic, social, and athletic leadership positions throughout his life.

(4) Lieutenant Jones committed himself to excellence in all aspects of his life, including earning a Bachelor of Science degree, with honors, in civil and environmental engineering.

(5) While earning his engineering degree at Worcester Polytechnic Institute, Lieutenant Jones was awarded a Reserve Officers' Training Corps scholarship.

(6) Lieutenant Jones faithfully and expertly led his fellow soldiers as a platoon leader in the Army's First Infantry Division while deployed to Iraq in 2007.

(7) Lieutenant Jones made the ultimate sacrifice for the United States on May 2, 2007, when he was killed in action by an improvised explosive device set by the enemy.

(8) Lieutenant Jones' life of service, courage, and honor was made possible by his dedicated parents, Mr. Kevin Jones and Mrs. Elaine Jones, who reside in Westminster, Massachusetts.

(9) Mr. and Mrs. Jones organized the shipment of supplies to soldiers serving alongside their son, thereby supporting the morale of the members of the Armed Forces.

(10) Before entering combat, Lieutenant Jones made arrangements to ensure that his life insurance policy proceeds would become a scholarship fund to benefit others, a request that Mr. and Mrs. Jones fulfilled.

(11) Lieutenant Jones is remembered by his family, his friends, and the people of the United States as a role model for his fellow citizens to emulate.

(12) Lieutenant Jones' spirit of generosity has been commemorated by organizations ranging from the Commonwealth of Massachusetts to the Boston Celtics.

(13) It is fitting that the life of Lieutenant Jones should be further memorialized for future generations by naming the post office in Westminster, Massachusetts, in his honor.

SEC. 3. LIEUTENANT RYAN PATRICK JONES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, shall be known and designated as the ''Lieutenant Ryan Patrick Jones Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Lieutenant Ryan Patrick Jones Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, on this second-to-last day of this Congress, the Senate has sent us a naming. Although my committee has stopped doing namings, except in the case of Medal of Honor recipients, this one is coming over, and I believe it is meritorious. The Senate has asked us to pass it, and I will do so today.

It was introduced by Senator SCOTT BROWN of Massachusetts and would designate a facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, as the Lieutenant Ryan Patrick Jones Post Office Building.

Lieutenant Jones earned his engineering degree at Worcester Polytechnic Institute. When he earned his degree, he was also awarded an ROTC scholarship in the Reserve Officer Training Corps. Lieutenant Jones led his fellow soldiers as a platoon leader in the Army's 1st Infantry Division while deployed in Iraq in 2007. And I

guess as a member of the Big Red One, I would note that I also served with that unit many years ago.

Tragically, on May 2, 2007, Lieutenant Jones was killed in action by an improvised explosive device set by our enemy. He leaves behind his parents, Kevin and Elaine Jones, of Westminster, Massachusetts.

He was awarded several awards for his heroism, including the Bronze Star, the Purple Heart, the Iraqi Freedom Medal, the Combat Action Badge, and the War on Terrorism Badge.

I am grateful for Lieutenant Jones' service and for his bravery on the battlefield. And I regret that the naming of this post office is so appropriate because yet another one of our finest has paid such a high price by an enemy who uses hidden explosives rather than confront us in any direct way.

With that, I reserve the balance of my time.

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

Mr. Speaker, I'm pleased to join with the distinguished chairman in support of S. 3662 to name a postal facility in Westminster, Massachusetts, as the Lieutenant Ryan Patrick Jones Post Office Building.

I too join in sorrow at the necessity of having to take this action because of the loss of a promising young life. One can only hope that taking this action will actually provide comfort to his parents and to his family and to his broader community given their terrible loss.

We salute the honor and patriotism of Mr. Jones, who was commissioned as a second lieutenant in the U.S. Army, and we honor his sacrifice and his service to his country.

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

Mr. ISSA. I also urge support and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, S. 3662.

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.

CAPTAIN RHETT W. SCHILLER POST OFFICE

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3630) to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the ''Captain Rhett W. Schiller Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3630

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

SECTION 1. CAPTAIN RHETT W. SCHILLER POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, shall be known and designated as the ''Captain Rhett W. Schiller Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Captain Rhett W. Schiller Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

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

S. 3630, introduced by Senator RON JOHNSON of Wisconsin, to designate a facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the Captain Rhett W. Schiller Post Office, is again another exception to the no-postal rule.

□ 1320

Captain Schiller graduated from the U.S. Military Academy at West Point in 2003 and was deployed to serve in Iraq in 2006. Tragically, on November 16, 2006, the captain was killed by enemy fire. At the time of the attack, Captain Schiller was leading a team of six paratroopers and six Iraqi Army soldiers.

The captain leaves behind his parents, William and Karla. He was awarded several medals for his heroism, including the Bronze Star and the Purple Heart.

We are grateful for his service. We make an exception to the ''no postal naming'' rule established because we don't have postal reform, and we do so on behalf of the request of the Senate, and we do so for a good reason. This, in fact, was a gentleman who served his country, whom we want to remember, and we want to remember him here today and in Wisconsin for years to come.

I reserve the balance of my time.

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

I am pleased again to join with the distinguished chairman in support of S. 3630. Again, we are honoring service to country. We are honoring bravery and the ultimate sacrifice by a young American, Captain Rhett W. Schiller. I think it is fitting that we do rename a post office to honor the bravery and the sacrifice. Again, I hope to provide comfort to the friends and family members of the late Captain Schiller in this action.

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

Mr. ISSA. Mr. Speaker, I urge all Members to vote for S. 3630, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, S. 3630.

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.

FLOOD DISASTER PROTECTION ACT OF 1973 CORRECTION

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services be discharged from further consideration of the bill (S. 3677) to make a technical correction to the Flood Disaster Protection Act of 1973, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 3677

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

SECTION 1. TECHNICAL CORRECTION.

Section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)(A)) is amended by inserting ''residential'' before ''improved real estate'' each place that term appears.

Mrs. BIGGERT. I rise today to ask my colleagues for their support of S. 3677, a bill to make a technical correction to the Flood Disaster Protection Act of 1973.

S. 3677 is designed to clarify language within a provision of the Biggert-Waters Flood Insurance Reform Act that requires escrowing of flood insurance payments by federally regulated lending institutions. The provision in current law could be interpreted as requiring escrowing of flood insurance payments for residential, commercial, and multifamily loans. This is an incorrect interpretation. That's why S. 3677 is necessary to clarify that this escrowing provision only applies to ''residential'' mortgage loans and not commercial and multifamily loans.

Earlier this year, Congress enacted legislation to make needed reforms to the National Flood Insurance Program. These reforms will begin the process of putting the program back on sound financial footing, thus reducing taxpayer exposure while ensuring coverage is available for at-risk Americans.

The Biggert-Waters Act requires escrowing by lenders with over $1 billion in assets for ''any loan secured by the improved real estate or mobile home.'' The language ''any loan'' could broadly be interpreted as requiring

escrowing for commercial properties, and escrowing is traditionally only for residential properties.

S. 3677 would insert the word ''residential'' before ''improved real estate'' to remove the ambiguity. Adding ''residential'' to ''improved real estate'' makes clear the application of this provision to loans secured by residences designed for the occupancy of one to four families and does not impose new escrow obligations on commercial and multifamily real estate servicers.

It recognizes the loan servicing practices of commercial and multifamily real estate borrowers as distinct from those of residential borrowers, thus exempting these loans. It also ensures consistency with other financial institution regulations.

This bill is supported by the American Bankers Association, including its members of the American Bankers Insurance Association, or ABIA. I would like to insert their letter of support for the RECORD.

Without this bill, the ABIA states that ''banks will face expensive compliance and training costs to implement this unintended provision.'' That cost inevitably will be passed on to businesses with commercial loans. S. 3677 will correct this unintended consequence, and I urge my colleagues to support this technical corrections bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

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 23 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6726, by the yeas and nays;

The Senate amendment to H.R. 443, de novo;

The Senate amendment to H.R. 4212, de novo.

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

CONGRESSIONAL PAY FREEZE AND FISCAL RESPONSIBILITY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6726) to prevent the 2013 pay adjustment for Members of Congress and persons holding other offices or positions in the Federal Government from being made, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 287, nays 129, not voting 15, as follows:

[Roll No. 655]

YEAS—287

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
DeFazio
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Latham
LaTourette
Latta
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Maloney
Manzullo
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—129

Ackerman
Baca
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capuano
Carson (IN)
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeGette
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Fudge
Gonzalez
Green, Al
Green, Gene
Gutierrez
Hanabusa
Hastings (FL)
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Kildee
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lynch
Markey
Matsui
McDermott
McGovern
Meeks
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf
Yarmuth

NOT VOTING—15

Bartlett
Bono Mack
Burton (IN)
Frank (MA)
Grijalva
Lewis (CA)
Lewis (GA)
Mack
McCarthy (NY)
McCollum
Miller, George
Paul
Stark
Sutton
Woolsey

□ 1854

Ms. CLARKE of New York, Ms. BERKLEY, Ms. WATERS, Ms. BROWN of Florida, Ms. KAPTUR, Messrs. GENE GREEN of Texas, NEAL, TOWNS, SCHIFF, MARKEY, SMITH of Washington, and AL GREEN of Texas changed their vote from ''yea'' to ''nay.''

Ms. WASSERMAN SCHULTZ and Mr. CARNAHAN changed their 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.

MANIILAQ ASSOCIATION CONVEYANCE 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. 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 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.

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. KLINE. 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 410, nays 5, not voting 16, as follows:

[Roll No. 656]

YEAS—410

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boren
Boswell
Boustany
Brady (PA)
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
Costello
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
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
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
Maloney
Manzullo
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
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
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
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)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—5

Amash
Braley (IA)
Mulvaney
Thompson (MS)
Walsh (IL)

NOT VOTING—16

Bartlett
Bono Mack
Brady (TX)
Burton (IN)
Frank (MA)
Grijalva
Lewis (CA)
Lewis (GA)
Mack
McCarthy (NY)
McCollum
Paul
Perlmutter
Rokita
Stark
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1902

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.

DRYWALL SAFETY ACT OF 2012

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. 4212) to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. TERRY) 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.

RECORDED VOTE

Mr. HASTINGS of Washington. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 378, noes 37, not voting 16, as follows:

[Roll No. 657]

AYES—378

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Burgess
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
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 (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen

Fudge
Gallegly
Garamendi
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCaul
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—37

Amash
Bishop (UT)
Broun (GA)
Buerkle
Campbell
Chaffetz
Duncan (SC)
Flake
Gardner
Gohmert
Goodlatte
Graves (GA)
Hensarling
Jones
Jordan
Kingston
Labrador
Lamborn
Landry
Lummis
Marchant
Massie
McCarthy (CA)
McClintock
Mulvaney
Pence
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Sensenbrenner
Southerland
Stutzman
Walsh (IL)
Westmoreland
Woodall

NOT VOTING—16

Bachmann
Bartlett
Bono Mack
Burton (IN)
Frank (MA)
Grijalva
Lewis (CA)
Lewis (GA)
Mack
McCarthy (NY)
McCollum
Mica
Paul
Richmond
Stark
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1910

Messrs. JONES, MARCHANT, DUNCAN of South Carolina, and BISHOP of Utah changed their vote from ''aye'' to ''no.''

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.

PERSONAL EXPLANATION

Ms. McCOLLUM. Mr. Speaker, this evening I inadvertently missed voting on rollcall votes 655, 656, and 657.

I intended to vote "no" on H.R. 6726.

I intended to vote "yes" on the Senate Amendment to H.R. 443.

I intended to vote "yes" on the Senate Amendment to H.R. 4212.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 1, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 1, 2013 at 6:17 p.m.:

That the Senate passed without amendment H.R. 4365.

That the Senate agreed to without amendment H. Con. Res. 147.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

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 7 o'clock and 15 minutes p.m.), the House stood in recess.

□ 2039

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. QUAYLE) at 8 o'clock and 39 minutes p.m.

AMERICAN TAXPAYER RELIEF ACT OF 2012

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 112–741) on the resolution (H. Res. 844) providing for consideration of the bill (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, and for other purposes, which was referred to the House Calendar and ordered to be printed.

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 844 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 844

Resolved, That upon the adoption of this resolution it shall be in order to take from the Speaker's table the bill (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, and for other puropses, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, I am happy to yield the customary 30 minutes to my very good friend from Rochester, New York, the distinguished ranking member of the Committee on Rules, Ms. SLAUGHTER, pending which I yield myself such time as I may consume. All time that I will be yielding will be for debate purposes only.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, the measure before us and the process that brought us here has been the source of a great deal of understandable consternation. Virtually no one believes that what we have before us tonight is a long-term solution to this problem, and most have bemoaned the fact that we have stretched the far reaches of our deadline to actually get here.

Now, I'm privileged to be in my fourth decade as a Member of this body. And it's true, I don't believe that in those decades I've ever actually spent New Year's Eve and/or New Year's Day in this building, but working up to a deadline is hardly unprecedented in this institution.

As we all know, H.R. 8, we are concurring in the Senate amendment with this rule, but H.R. 8 passed last August 1, went over to the other body, and it

passed by a ratio of 256–171 last August 1. And it went over there and we've been waiting, so it's now come back to us. It is before us, and I will say that we are addressing this right up to the deadline.

But I can remember, as I know colleagues of mine on both sides of the aisle can recall, there have been many deadlines that have approached, and it's a fact of life when you have deadlines.

I can recall very well, in school I had a great international relations professor in college, and at the beginning of the class he would give us these geographic spots around the world. Back then, we didn't have Google and we had to spend time finding these very, very obscure spots. And almost every time, when did we do it? Just as we were approaching that deadline. And Professor Rood understood that extraordinarily well, and he laughed as we were struggling at the end to do that.

Similarly, this notion of approaching a deadline and trying to deal with an issue is something that happens in this institution, and this is another example where that's the case.

The issues that we are attempting to address tonight with this vote are as important as they are challenging. The range of ideas that have been proposed as solutions are as disparate as they are numerous. This body, like our Nation, has been deeply divided over how to proceed.

Under these circumstances, an agreement has been extraordinarily elusive. We all know that. The bill before us is not the grand bargain that I, and I think most of my colleagues, had hoped that we would have been able to achieve. But what we're doing this evening, Mr. Speaker, is a very essential bridge to what I hope will be a comprehensive, long-term solution.

Mr. Speaker, it will bring us back from the edge of the fiscal cliff. And I know, just hours ago, at midnight, we did, technically, go over that bridge, but we are working hard to pull ourselves back from that cliff. We went over the cliff and we're pulling ourselves back, and we are ensuring that taxes are not increased on 99 percent of our fellow Americans.

I know that I'm not alone when I say that I had high hopes for a package of sweeping tax reform, and something that I think has to be acknowledged, and I'm very saddened that it's not included in here, but entitlement reform. We all know, and you know very well, Mr. Speaker, that entitlement reform is the only way that we are going to successfully get our arms around this massive 16—now I guess it's $16.25 trillion national debt that is there. As Willie Sutton said, he robbed banks because that's where the money is. We know that entitlement reform is going to be essential if we are going to be able to get our fiscal house in order, and I'm saddened that this is not part of it.

We have repeatedly passed out of the House of Representatives meaningful, meaningful reform in a number of these areas. It's truly unfortunate that our friends in the other body have not engaged, thus far, in these efforts. But, Mr. Speaker, the legislation that is before us, which again, as we all know, passed at 2 o'clock this morning, earlier today in the Senate, will avert the economic crisis and set the stage for the very hard work that must be done in the coming weeks.

Now, Mr. Speaker Pro Tem, you and I won't be here for that work to take place, but I know that you share my view that our colleagues have a unique opportunity, as the 113th Congress begins its work at noon on Thursday, to take on this challenge. And I'm one who actually believes that we have a unique opportunity because of the fact that there is divided government, because we have a President of one party who regularly talks about the need for this kind of reform—and I congratulate him for that—and we have a House of Representatives, the people's House, the body that, under article I, section 7 of the U.S. Constitution, has the responsibility of dealing with tax issues, that this body is of the other party, our party, Mr. Speaker.

In light of that, I think that, since there is a consensus on the need to tackle these issues, it can be done in a bipartisan way. I hope very much that that will happen.

The way for us to take that first step is, of course, to pass this rule with what I am confident will be bipartisan support. And I appreciate the very kind words of the distinguished ranking member, my friend from Rochester, Ms. SLAUGHTER, upstairs in supporting this effort that we have. And then at the end of the day, once we go into the debate on concurring in the Senate amendment, which is what this rule will call for us to do, that we'll again have strong bipartisan support for that measure.

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

Ms. SLAUGHTER. Mr. Speaker, I certainly thank my colleague for yielding me the customary 30 minutes and yield myself such time as I may consume.

Mr. Speaker, I want to begin by saying to my colleague, Mr. DREIER, we've served together here for many years on the Rules Committee. I think that his knowledge of both the Rules Committee and its functions and the rules of the House are unsurpassed, and I think he will be very greatly missed.

□ 2050

I want to wish him the very best in his new endeavors in the rest of his life. Nothing but happiness and joy. And thank you. I feel I've learned a great deal from you, DAVID. Thank you for that.

Mr. Speaker, the legislation before me, as my colleague said, is no great victory. It's only a partial answer to a much larger problem, and it sets our Nation up for another fiscal showdown in mere months. As we vote, let every Member of this Chamber reflect on the dysfunctional legislative process and the irresponsible leadership that brought us here today, and the need for the majority to come back to the bargaining table in good faith as our work continues. And I share Mr. DREIER's hope that from now on we will put this all behind us and that this next term will be a bipartisan term.

Let history show that the fiscal cliff and the dire economic consequences that would come with it were the deliberate creation of this House. Because of hyperpartisan actions taken by the majority, the body has pushed our Nation closer to a self-created economic recession and the greatest displacement of workers that the Nation has known since 1929.

The idea behind the fiscal cliff was that the potential for a self-inflicted wound would force Congress to address the growing deficit and debt. Yet from the beginning, the plan was flawed. Over the last 10 years, our deficit has ballooned because of the cost of two wars and massive unpaid-for tax cuts. Yet discussion over the cost of war—conflicts that have cost the lives of thousands of Americans and forever changed the face of American families—has been almost nonexistent. At the same time, the majority's desire to protect tax cuts for millionaires and billionaires quickly hardened into intransigence and has led us to where we are today. Just a week ago today, it looked as though Congress was close to a solution, until the House majority walked away.

Instead of seizing an historic opportunity for compromise, the majority introduced a so-called ''Plan B,'' which quickly morphed into Plan C before being scrapped altogether and leaving us with almost no time to avert the fiscal cliff. By making tax cuts for millionaires and billionaires their biggest priority, the majority not only endangered our economy but they led the House through a legislative process that violated any sense of regular order and transparency. Indeed, as my colleagues and I sat in the Rules Committee last week, the legislation we were considering was changing by the minute, leaving us to guess at what would actually be included in any bill that required our vote.

Sadly, such dysfunctional governing comes as little surprise. For the past 2 years, the majority has led with a toxic combination of extremism and hyperpartisanship that has resulted in the 112th Congress being the least productive in history. During the summer of 2011, the majority threw our Nation into crisis when they took our economy hostage and threatened to default on our Nation's debt. This dangerous and irresponsible approach rattled investors around the world and led to the first-ever downgrade of our Nation's credit. In addition, over the last 2 years, the majority has voted more than 33 times to repeal the historic Affordable Care Act, despite knowing full

well that the repeal votes would never be signed into law because the Senate would not do that bill. In so doing, they took up valuable time from other legislative priorities. And CBS News reports that these votes consistently trying to repeal health care, Mr. Speaker, cost the American taxpayer almost $50 million.

For over a year and a half, this type of irresponsible and unproductive governing failed to provide any solutions to the American people. And coming out of the November elections, our mandate was clear. The American people demanded an end to the political theater and the dangerous legislative games. They demanded that we finally get to work and solve the looming fiscal cliff in a balanced, responsible, and bipartisan way.

In the middle of last July, all of the ranking committee members in the House of Representatives sent a letter to the Speaker asking that we begin in July to find a solution to the fiscal cliff and sequestration. We called for a bipartisan approach and something we could get finished before the August recess so that we could spare the American people and most other people in the world and financial markets the worry that we have put them through. We got our answer tonight.

So, unfortunately, today, what we are doing here does not give the American people a solution worthy of their full approval—and I'm sure we don't have it. The legislation before us fails to seriously address the deficit and debt, protects too many wealthy Americans, and sets the Nation up for another round of high-stakes negotiations. However, what we do have before us is a product that can avert the worst of the fiscal cliff and begin the process of balancing the budget and returning fairness, we hope, to the Tax Code.

Under today's legislation, millions of Americans will be spared from a tax increase, and valuable tax extensions for middle-class families and students will remain in place. In addition, today's legislation extends unemployment insurance for millions of Americans struggling to find work.

In closing, this legislation is far from perfect, and the process that has led us here is an utter disgrace. Yet in this time of crisis we must act first and foremost to try to protect the American economy. And today's legislation will do that. In the coming weeks, we must continue the hard work of creating a fair Tax Code and ensuring we reduce our deficit in a balanced, responsible, and bipartisan way. And as we do, I urge my fellow Members to avoid brinksmanship and partisan games and to come to the table in good faith on behalf of all the people who sent us here and put their faith in us.

I reserve the balance of my time.

Mr. DREIER. I yield myself such time as I may consume to first express my appreciation to my friend from Rochester for her very generous and kind remarks and to, secondly, say that I would like to associate myself not necessarily with those kind remarks but I would like to associate myself with some of what she said. I, obviously, can't associate myself with all of those remarks, as you know, Mr. Speaker. But I will say that as we look at our quest for a bipartisan solution for this problem, I think that we have, with the action that we're about to take here, taken a very important first step.

I'm reminded of the fact that the author of the U.S. Constitution, James Madison, famously described the process of lawmaking as an ugly, messy, difficult process. That's by design, Mr. Speaker. And it's by design because if we look back at our Framers, they were fleeing the tyranny of King George. Why? Because that maniac was making unilateral decisions that played a role in ruining the lives of his fellow countrymen. So the Framers came forward and, in structuring our government with the three branches, they wanted to ensure that no individual got too much power. And when it comes to lawmaking, putting into place this great compromise, the Connecticut Compromise, it established a bicameral legislative structure.

And so I was talking one time, Mr. Speaker, with the first woman—now there are two—but the first woman to serve as a president of any of the 54 countries on the continent of Africa. She gave a brilliant speech for a joint session of Congress. She's the President of Liberia, Ellen Johnson Sirleaf. And I was talking to her about the legislative process. I was sitting in Monrovia, Liberia, and I said to her, James Madison, by design, said that this is to be an ugly, messy, difficult process. And I'll never forget, Mr. Speaker, how President Ellen Johnson Sirleaf looked to me and said, DAVID, you've forgotten one thing. Yes, it is an ugly, messy, difficult process. But you have to add the fact that it works.

And as difficult as it has been to get to this point, we need to realize that it's an ugly, messy, difficult process. While this is a very small step, it's a first step in our quest for tax reform and entitlement reform which will get us back on a path towards economic growth and the kind of prosperity that we want and that the American people deserve. And it will create a greater degree of certainty. We all know that uncertainty is the enemy of prosperity. So making permanent these tax cuts for 99 percent of the American people is a very important step in our quest to ensure that there is that degree of certainty.

□ 2100

So, Mr. Speaker, I will say again that I do associate myself with some of the things that my friend from Rochester said, and I do, again, appreciate her very kind remarks.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Committee on Rules.

Mr. POLIS. I want to again begin by acknowledging the long service of our chair in the House. This could very well be the last time we have the opportunity to debate here on the House floor, and I certainly wish him well.

I also want to express my gratitude to the great patriotism of my colleagues, both Democratic and Republican, and particularly those in their lame-duck period who have chosen to stay around and work right up to the final hour of their contract with the American people—in many cases without an office, in many cases without a home. We see them roaming the halls here of the Capitol. I personally, regardless of how they come down on this particular issue, applaud their patriotism in fulfilling the will of their voters for the 112th Congress.

What we have before us, and I think Members on both sides agree, certainly has some good aspects and some aspects that need to be approved. The question is on what side is there more weight. I think it's important to talk about what this bill does and what it doesn't do.

First, briefly, what it doesn't do. My own Senator from Colorado, MICHAEL BENNET, was one of the small group of Senators who voted against this because he, like myself, is an advocate of a comprehensive budget solution: restoring fiscal integrity to our country along the parameters of what the supercommittee attempted but failed to accomplish, along the parameters of what the Bowles-Simpson Commission, the Gang of Eight have attempted to accomplish, which we know could only be accomplished in a bipartisan manner but is so important to the future of our country to balance the budget and restore the fiscal integrity.

This bill is not that bill. However, what this bill does is it ensures that the American people will not have the largest tax increase in the history of our country tomorrow: $2,000 a year out of the pocket of families making $80,000 a year; almost $4,000 a year out of the pocket of families making $150,000 a year.

What does that mean to families? It might be the money that helps them stay above water on their mortgage. It might be the money that allows their child to attend college.

Beyond the ramifications at the family level, there's the aggregate effect across our economy. When families don't have that money, they're not able to spend that money to buy products, buy products that need to be produced, have jobs in America and create jobs.

I think we need to make sure that we don't raise taxes on the American people. The best way to do that is by supporting this bill. Anybody opposing this bill is supporting the largest tax increase in the history of the country.

I call upon my colleagues, Democratic and Republican, to remove this

tax burden from the middle class and ensure that taxes don't go up tomorrow. I encourage my colleagues to support the rule and the bill.

Mr. DREIER. Mr. Speaker, I'd inquire of my friend how many speakers she has remaining on her side.

Ms. SLAUGHTER. I believe I have three, Mr. Speaker.

Mr. DREIER. Three speakers. Well, I anxiously look forward to their remarks.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. I am pleased to yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I'll add my appreciation to the service of Mr. DREIER as well.

And ask the question: Why are we here? I know why I'm here—to protect working Americans, the vulnerable and middle class. The reason why we're in this position is because at the end of the Clinton administration we had $5 trillion in surplus, and it went out the window with Bush tax cuts and wars that we could not pay for.

So I stand here today to say that working class and the vulnerable will have their unemployment insurance and earned income tax and cuts in their taxes that they really need, but we still have work to do. I want to make sure that we restore some very serious cuts that impact on the health care of Americans.

We have work to do on the sequestration. Our fight is the same fight that Richard Trumka has with the AFL–CIO. We're here to make sure that the working Americans, the most vulnerable, do not pay for the rich getting richer. We're going to fight against Social Security cuts and Medicare cuts and Medicaid cuts.

What we have to do today is to make sure that we can go forward, but we should not do it without the understanding that there's some restoration work and there's some fight work in the sequestration. It will not be done on the backs of those who cannot pay. But we will work together as Americans to make things better. That is what I hope we will see as we go forward.

I want to thank the Senate for putting that bill forward that now we have to address.

Ms. SLAUGHTER. Mr. Speaker, when I spoke earlier, I referred to a letter that we had sent to the Speaker, and I would like to insert that in the RECORD.

JULY 25, 2012.

DEAR MR. SPEAKER AND CHAIRS OF THE COMMITTEES: As the senior Democratic Members of the Committees of the House, we call upon the Republican Leadership and the Chairs of our respective committees to begin immediate negotiations with Democrats on replacing the scheduled 2013 sequester with a balanced deficit reduction plan. We all agree that a sequester starting in January, 2013 is not in the country's best interest and is not the best way to assure responsible deficit reduction. The American people want us to work together to avoid unnecessary economic uncertainty at this crucial time in our recovery. Failure to reach an agreement would have devastating consequences for our economy, small business and the middle class.

The looming possibility of a January, 2013 sequester is already creating uncertainty in our economy. Working together and in good faith, Democrats and Republicans can negotiate an alternative to the defense and non-defense discretionary sequester as well as the mandatory sequester for fiscal year 2013. We are confident that we can identify revenue sources and prioritize investments in a bipartisan fashion to avoid the sequester while achieving our deficit reduction goals.

We look forward to hearing from you and sitting down to negotiate an alternative to the sequester. We strongly recommend that this bipartisan process begin before the August recess so that the American people can be reassured before September 30 that the sequester will not take effect.

Best regards,

Collin C. Peterson, Ranking Member, House Committee on Agriculture; Norman D. Dicks, Ranking Member, House Committee on Appropriations; Adam Smith, Ranking Member, House Armed Services Committee; Chris Van Hollen, Ranking Member, House Committee on the Budget; George Miller, Ranking Member, House Committee on Education & the Workforce; Henry Waxman, Ranking Member, House Energy & Commerce Committee; Linda Sánchez, Ranking Member, House Committee on Ethics; Barney Frank, Ranking Member, House Committee on Financial Services; Howard Berman, Ranking Member, House Committee on Foreign Affairs; Bennie G. Thompson, Ranking Member, House Committee on Homeland Security; Robert A. Brady, Ranking Member, House Committee on Administration; John Conyers, Ranking Member, House Committee on the Judiciary; Edward Markey, Ranking Member, House Committee on Natural Resources; Elijah Cummings, Ranking Member, House Committee on Oversight and Government Reform; Louise Slaughter, Ranking Member, House Committee on Rules; Eddie Bernice Johnson, Ranking Member, House Committee on Science, Space, & Technology; Nydia M. Velázquez, Ranking Member, House Committee on Small Business; Nick Rahall, Ranking Member, House Committee on Transportation & Infrastructure; Bob Filner, Ranking Member, House Committee on Veterans' Affairs; Sander Levin, Ranking Member, House Committee on Ways and Means; C.A. Dutch Ruppersberger, Ranking Member, Permanent Select Committee on Intelligence.

I am happy to yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the ranking member for yielding.

Tonight, the American people's hopes are for this Congress to pass a bipartisan bill to meet our Nation's financial obligations to give some certainty to our financial markets and to keep our economy growing through new job creation. This is a great victory for the middle class whose taxes will not go up tomorrow.

In places like Ohio, what does it mean? It means doctors who treat Medicare patients are going to receive fair reimbursement and those seniors won't be turned away. It means that unemployment compensation will be extended to the unemployed, who remain in places like Norwalk, Ohio, and Lima and Medina and Elyria, people who haven't gone back to work yet in manufacturing centers across States like Ohio.

This House surely should follow the lead of the Senate, which passed this bill by 89–8 last night. This is the time for the House to act. I rise in strong support of the rule and strong support of the bill. Let's do what the American people have been waiting for for months.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I'd like to ask unanimous consent that all Members have—traditionally, I would ask for 5 legislative days in which to revise and extend their remarks on the measure before us, but since the new Congress is going to be sworn in at noon on Thursday, I ask that all the legislative days remaining in the 112th Congress be provided for Members to revise and extend their remarks on this resolution before us.

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

There was no objection.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. DAVID SCOTT of Georgia. Ladies and gentlemen of the Congress and United States of America, we stand here today and we're witnessing something that there has been a great hunger among the American people for, and that is to see, finally, Democrats and Republicans working together for the good of the United States. We're going to have that today. We're going to have a bill—all may not vote for it, but I think what is important here is that this is a product of a true compromise, with Republicans and with Democrats putting the United States of America foremost.

I think we ought to have a tip of the hat to President Barack Obama, I think to Leader MCCONNELL in the Senate, and certainly to our Vice President, JOE BIDEN, and to the leadership of NANCY PELOSI, STENY HOYER, and JIM CLYBURN over on our side. I know that our Republican friends have had a tussle here, but our tip of the hat to you as well, and certainly to my friend, DAVID DREIER, who is in his ending time as chairman of the Rules Committee. Good luck, my friend.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the moment.

This has been a very interesting couple of days, ones that I would normally have spent with friends in Memphis, drinking champagne and looking forward to the new year.

It's been an honor serving with you, Mr. DREIER. You are an outstanding

Member, as Ms. SLAUGHTER said. There are lots of people in the other aisle—Mr. COBLE behind you—fine Republicans whom I'm friends with and think the world of, but I'm just happy this day has ended the way it is, kind of a Tiny Tim world. It's just good the way it ended up. Somehow or another, whether it be the fates or Speaker BOEHNER's abilities to work things from magic, we're going to end up not falling off the fiscal cliff, and I think that's wonderful.

So I thank Ms. SLAUGHTER for the time, and I thank Speaker BOEHNER for whatever he's done to produce what I expect will be a positive result for the American people.

Mr. DREIER. Mr. Speaker, I'll continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, if I could inform my colleague, I have no further requests for time and I'm prepared to close if he has no further speakers.

Mr. Speaker, failure to avert the fiscal cliff could lead the Nation back into an economic recession and create the largest displacement of workers in the Nation's history. The dangers are avoidable, and it is our solemn obligation to avert the fiscal cliff and protect the American people.

□ 2110

As I said earlier, today's legislation is far from perfect; but in this time of crisis, legislators must act. In the months to come, we will face more fiscal challenges and be asked to act again. When that time comes, I hope that we will avoid the brinksmanship that we have seen to date and come to the table in good faith. If we do, I'm confident that we can finish our work and provide solutions for a better future for America.

I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, with that, I yield myself the balance of the time.

Mr. Speaker, on the 29th of February of this year, I stood here in this well and announced that I was leaving Congress. And when I did that, I said that this institution is as great as it has ever been. The reason I said that is that Congress is a reflection of the people; and it means that when America is divided, Congress is divided. That doesn't mean that we, as leaders, Mr. Speaker, can't work to bridge this divide.

While political division is a current reality, it is not our fate. I believe that, as an institution, Congress can and must forge new consensus and restore hope and optimism for future generations. Optimism, Mr. Speaker, as you know very well, is what we, as Americans, are all about. And I've got to tell you, Mr. Speaker, that that optimism has been validated again and again and again. Actually, there are positive signs. While it gets very little attention, we have come together to craft solutions.

The issue that I've been involved in that, frankly, has been the most unifying issue around here for us has been the trade issue. A year ago, Democrats and Republicans came together and passed our long pending—they'd been pending for over half a decade—our free trade agreements with Colombia, Panama and South Korea with strong bipartisan votes. Additionally, Mr. Speaker, our very first action following November's very, very deeply polarizing election was to join together to strengthen our hand against Russia's outrageous actions by passing Permanent Normal Trade Relations. We did it with one of the largest bipartisan and bicameral votes that a trade bill has ever seen. Mr. Speaker, I would like to make the case that these consensus-driven solutions should be a model for the 113th Congress.

Today, we are proceeding with a critical step to avert a serious economic downturn; but this is only the beginning of the work that must be done, as we all know. Ultimately, Mr. Speaker, we must reach an agreement that combines, as I said earlier, meaningful entitlement reform with new revenues in a way that puts us back on a path towards growth and prosperity.

If we're going to accomplish this, we must work together—Republicans and Democrats, Congress and the White House, the Federal Government and the States, the public sector and the private sector. Now, Mr. Speaker, some might say that saying those things is a cliche. But, as we all know, Members are going to have to engage in rigorous debate, and there needs to be that clash of ideas, a rigorous debate; but it needs to be done in good faith and with a spirit of compromise.

Now, I realize that some argue that ''compromise'' is a sign of weakness. In fact, one of the great strengths, Mr. Speaker, of our Nation's Founders was their ability to compromise. The very structure of this institution, the United States Congress, the very structure of our institution which joins the people's House where we're all privileged to serve with the State-focused United States Senate was known as what? The Connecticut Compromise or the Great Compromise. That's the very basis of our Founders. Too often, we forget that while we should never—we should never compromise our principles, we must always, Mr. Speaker, we must always be prepared to compromise in the service of our principles.

A couple of weeks ago, ''The Economist'' described another example of compromise, this one in what Justice Brandeis described as one of the ''laboratories of democracy,'' that being the State of Georgia. The conservative Republican Governor, our former House colleague, Nathan Deal, and the liberal mayor of Atlanta, Kasim Reed, are clearly at opposite ends of the political spectrum. Yet they have managed to bridge that divide through a commitment to results. Mr. Speaker, together, they have achieved significant gains for the good of Georgia.

Mr. Speaker, Congress and the White House are perfectly capable of following that same model for the good of our country. Americans may be politically divided, but they are united in their desire to see their leaders in Washington achieve results.

Now, Mr. Speaker, we know it's far from perfect, but I hope that this bipartisan agreement can lay the foundation for continued work to address the tremendous challenges that we face as a Nation. Millions of Americans are out of work. The national debt as a percentage of gross domestic product is too high. Upheaval exists in nearly every region across the globe. Education and immigration reform must happen. The potential for a crippling cyberattack continues to be a threat. Climate change is a fact of life. And most recently, Mr. Speaker, our families are reeling from the tragedy of Newtown. They're asking how we can prevent it from ever happening again and how we can keep guns from getting into the hands of dangerous people.

These are the great challenges to which we all must rise, for which we all must find real solutions. I look forward to continuing to do my small part as I follow the Madisonian directive and return to California as a private citizen. It's been an incredible honor, Mr. Speaker, an incredible honor for me to serve in what I describe—even though the Senate often takes this label—as the greatest deliberative body known to man, and I consider it an amazing honor to be able to serve here.

Now, as I depart, and I hope that there is no correlation to my departure, I believe that the United States Congress can actually be better than it has ever been.

With that, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. 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 408, nays 10, not voting 14, as follows:

[Roll No. 658]

YEAS—408

Ackerman	Becerra	Boustany
Adams	Benishek	Brady (PA)
Aderholt	Berg	Brady (TX)
Akin	Berkley	Braley (IA)
Alexander	Berman	Brooks
Altmire	Biggert	Broun (GA)
Amash	Bilbray	Brown (FL)
Amodei	Bilirakis	Buchanan
Andrews	Bishop (GA)	Bucshon
Austria	Bishop (NY)	Buerkle
Baca	Bishop (UT)	Burgess
Bachmann	Black	Butterfield
Bachus	Blackburn	Calvert
Baldwin	Boehner	Camp
Barber	Bonamici	Canseco
Barletta	Bonner	Cantor
Bartlett	Bono Mack	Capito
Barton (TX)	Boren	Capps
Bass (CA)	Boswell	Capuano

Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
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
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
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
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
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)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—10

Barrow
Blumenauer
DeFazio
McDermott
Moran
Peterson
Posey
Schmidt
Scott (VA)
Visclosky

NOT VOTING—14

Bass (NH)
Burton (IN)
Campbell
Clay
Conyers
Grijalva
Hirono
Lewis (CA)
Lewis (GA)
Nunnelee
Paul
Stark
Whitfield
Woolsey

□ 2139

Mr. MCDERMOTT changed his vote from ''yea'' to ''nay.''

Messrs. CHAFFETZ and RANGEL changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 844, I call up the bill (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, and for other purposes, with the Senate amendments thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WOMACK). The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

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

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 VIII—MISCELLANEOUS PROVISIONS

Sec. 801. Strategic delivery systems.
Sec. 802. No cost of living adjustment in pay of members of congress.

TITLE IX—BUDGET PROVISIONS

Subtitle A—Modifications of Sequestration

Sec. 901. Treatment of sequester.
Sec. 902. Amounts in applicable retirement plans may be transferred to designated Roth accounts without distribution.

Subtitle B—Budgetary Effects

Sec. 911. Budgetary effects.

TITLE I—GENERAL EXTENSIONS

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. 801. 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. 802. 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. 901. 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. 902. 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. 911. 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).

Amend the title so as to read: ''An Act entitled the 'American Taxpayer Relief Act of 2012'.''.

MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Camp moves that the House concur in the Senate amendments to H.R. 8.

The SPEAKER pro tempore. Pursuant to House Resolution 844, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 8.

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

There was no objection.

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

Mr. Speaker, I rise today to urge what a colleague from Georgia called a legacy vote—making permanent the tax cuts Republicans enacted back in 2001 and 2003. I couldn't agree more, and let me say why: because we're making permanent tax policies Republicans originally crafted.

Now back then, despite having a majority in the House, a majority in the Senate, and a Republican in the White

House, those policies were only temporary. That's because Democrats refused to join Republicans in providing tax relief for working families. Well, after more than a decade of criticizing these tax cuts, Democrats are finally joining with Republicans in making these tax cuts permanent. Republicans and the American people are getting something really important—permanent tax relief.

As big as that is, and it's only the first step when it comes to taxes, this legislation settles the level of revenue Washington should bring in. Next, we need to make the Tax Code simpler and fairer for families and small businesses, and we need to pursue comprehensive and fundamental tax reform to create the jobs we need and to make American businesses and workers competitive in the global marketplace. Simply put, the Tax Code is a nightmare. It's too complex, too time-consuming, and too costly. About 60 percent of individual taxpayers have to hire others to do their tax returns because the code is too complicated. As a result, if tax compliance were an industry, it would be one of the largest in the United States and would consume 6.1 billion hours, the equivalent of more than 3 million full-time workers.

And yes, it's too costly. In 2008 alone, taxpayers spent $163 billion complying with the individual and corporate income tax rules. Add to that the fact that the U.S. has the highest corporate tax rate in the OECD and an outdated system of taxation, and it's not too difficult to imagine why many don't view America as an attractive place to invest and hire.

Nothing about the bill we're considering tonight changes any of those realities. That's why the Ways and Means Committee will pursue comprehensive tax reform in the next Congress. So by making Republican tax cuts permanent, we're one step closer to comprehensive tax reform that will help strengthen our economy and create more and higher paychecks for American workers.

I urge my colleagues to support this bill and get us one step closer to tax reform.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume. This is a bipartisan bill, and I will try to keep it within that spirit to the extent possible.

As we are here today on January 1, hours away from Americans returning to work, markets reopening around the world, and all eyes focusing on whether this institution can govern, this legislation allows us to get done what we need to get done.

□ 2150

This bill is vital for our Nation's economic well-being and, I want to emphasize, for its standing as the world's most important economy. It is vital for 114 million middle class families whose tax cuts are made permanent. It's vital for 2 million unemployed American workers who need continuation of their insurance while they continue to look for work.

It is vital for 30 million middle-income Americans who otherwise would have been hit by the alternative minimum tax. And it's vital for 25, and I emphasize this, 25 million working families and students who benefit from the Child Tax Credit, the Earned Income Tax Credit and the American Opportunity Tax Credit, which helps families pay for college.

And it's vital for physicians and millions of their patients who would have been hurt by drastic cuts in Medicare reimbursement rates. It's also vital for businesses, through an extension of important tax provisions such as the R&D credit, and also renewable energy incentives that must continue in this great country of ours, and bonus depreciation to encourage business investments.

But I want to emphasize this, somewhat in contrast to what our chairman has said: this legislation breaks the iron barrier that for far too long has prevented additional tax revenues from the very wealthiest. It raises $620 billion in revenue by achieving the President's goal of asking the wealthiest 2 percent of Americans to pay more, while protecting 98 percent of families. That's right, that's what it does. And 97 percent—I want to emphasize this, contrary to propaganda coming from the other side, 97 percent of small businesses from any tax increase.

And, lastly—and this needs to be emphasized especially in view, Mr. Chairman, of your comments—this package is vital for future deficit reduction efforts, setting the stage for a balanced approach from here on out by delaying sequestration through 1–1 revenue to spending cuts.

Yesterday, President Obama again said he is committed to deficit reduction, but he emphasized several times, and I quote:

> We've got to do this in a balanced, responsible way with additional revenues as well as spending cuts, so I urge its passage.

This bill sets the important precedent I mentioned in terms of additional revenues as well as spending cuts. The time is urgent. The time is now. We should support this legislation.

I reserve the balance of my time.

Mr. CAMP. At this time, I yield 3 minutes to the gentleman from California (Mr. ISSA), the distinguished chairman of the Oversight and Government Reform Committee.

(Mr. ISSA asked and was given permission to revise and extend his remarks.)

Mr. ISSA. Mr. Speaker, I'd like to be speaking for this bill, but I can't. In the 12 years, almost to the day, that I've served in this body, I've voted for every tax cut, every tax cut. And I remember many of my colleagues, many of them friends to my right here, who, each time we voted for them said, where is the PAYGO? Where is the pay-for?

Well, Mr. Speaker, there's $4 trillion of new debt and deficit and there's no pay-for, and there's no anticipation of a pay-for.

In the last night, or the last 2 days, of a Congress, to say that 2 months from now a new Congress is going to do what we're not doing here today is not something I can bring myself to do.

I would like to vote for this because I do vote for lower taxes. I want Americans to have lower taxes. But the other day, in conference, one of my colleagues pointed out that if, in fact, you're spending the money, you're taxing our future generation.

We are taxing $1.2 trillion next year. We are taxing $1.2 trillion. We won't collect it, but we are taxing $1.2 trillion of deficit.

The chairman of the Ways and Means Committee, Mr. CAMP, rightfully so said we're also not simplifying the Tax Code. We're not making it better or fairer. We're not getting rid of the NASCAR loophole. We're not getting rid of the electric motor scooter low-speed loophole. We're not getting rid of a whole lot of tax things that are here.

But most importantly, we're not taking things that the President himself said he would be for, like getting the calculation of chained CPI, of the consumer price index for Social Security and the Federal workforce and pensions right, which, would, in fact, reduce the deficit going forward.

So because of what we're not doing, I cannot believe that this tax cut will, in fact, be followed with a spending cut to offset any part of the $4 trillion we're putting on the backs of future generations.

So I thank all of you who will vote for it. I cannot bring myself to vote for it tonight.

Mr. LEVIN. I yield myself 15 seconds.

We Democrats sat on Ways and Means, time after time, when Republicans passed tax cuts and never brought $1 to the table to pay for it. They thought that that was the way to promote economic growth. How wrong they were.

It's now my privilege to yield 1 minute to a person who has the title ''leader,'' but who has been so much more than a titular leader, who has valiantly led our efforts, and we owe to NANCY PELOSI a real debt of gratitude for our being where we are today.

With real pleasure, I yield 1 minute to our distinguished leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding. I thank him for his great leadership as our ranking member on the Ways and Means Committee and for bringing the clarity to our thinking on this important subject that we are dealing with this evening.

My colleagues, many of us this morning began the day with the Vice President of the United States coming to the Democratic Caucus and speaking to us about legislation that passed the Senate last night 89–8. That is absolutely historic. It was legislation that

he helped negotiate, working with the Republican and Democratic leaders in the United States Senate.

It was a remarkable accomplishment because, as we all know, while we share the same goals, we sometimes have different paths to achieving them; and reconciling our differences was a monumental task, especially with the time growing short.

So we appreciate the leadership of the Vice President. We appreciate the leadership of the Republican and Democratic leaders in the Senate, and we thank Speaker BOEHNER for bringing this legislation to the floor.

Hopefully, we can duplicate the strong bipartisan vote that the legislation received in the United States Senate. And why is that important?

It's important because the American people told us in the election they wanted us to work together. They have their differences too. They understand disagreement. They also understand compromise, and that is what this legislation represents.

I listened attentively to the previous speaker who said he was voting for the bill for what was not in it. That's an interesting approach. We can judge all of the legislation that we vote on for what is in it or vote against it for what is not in it. But at some point you strike a balance. You balance the equities.

Where do you come out in terms of making a choice?

□ 2200

I hope we will reflect the will and heed the call of the American people to work together and follow the lead of the Senate with strong bipartisan support. What do they want us to do? What are their priorities? They want us to create jobs. They want us to grow the economy. They want us to invest in education. They want us to reduce the deficit. They want us to strengthen the middle class. And that is what this legislation does. It does so in a way that is not complete but is an important first step.

We talked much about the gloom and doom of what would happen if we went over the cliff. Well, let's talk instead about what happens if we don't go over the cliff. And I believe that we will not, seeing the vote on the rule this evening. I believe that we will heed the American people and come together with a strong vote.

By voting for this legislation and passing it in a strong way we'll increase the confidence of consumers, of the markets, of businesses, of employers to hire more. We will extend unemployment insurance to people who have lost their jobs through no fault of their own. This is very, very important not only to those individuals, but to our economy, because this is money that is spent immediately injecting demand into the economy, creating jobs.

We'll extend permanent tax relief for the middle class—more than 98 percent of the American taxpayers, more than 97 percent of America's small businesses. We will support our middle class and strengthen it by supporting the child tax credits, tax credits for higher education, the American opportunity tax credit, the earned income tax credit, and the like.

Our distinguished ranking member went through some of the provisions, but it's important to see them in light of what they mean to America's working families. By voting for this agreement, we will demonstrate that we have listened to the American people and we have heeded their call, once again, to work together in a bipartisan way.

I want to salute President Obama. He campaigned on strengthening the middle class—I think all of us probably did—and this is one way for us to fulfill that promise. I don't know any piece of legislation that I've ever voted for that did everything that I thought it should do, but this is a very, very strong first step as we go into the new year. Let us send a message to the American people that, again, while this bill doesn't accomplish all that we need to do to grow the economy, reduce the deficit, and strengthen the middle class, it is a good way for us to have a happy start to a new year by taking this first step.

I hope that as, again, you balance the equities, the pros and cons of this legislation, that you will weigh heavily in favor of the message that it sends to the kitchen tables of America about the respect we have for them in meeting their needs, meeting their challenges, honoring their aspirations. This great middle class is the backbone of our democracy. Let us all be very patriotic tonight and support our middle class and support our democracy. Vote ''aye'' on this strong bipartisan legislation which passed 89–8 in the United States Senate. Let's step up to the plate to do that in the House of Representatives.

I urge my colleagues to vote ''aye.''

Mr. CAMP. Mr. Speaker, I yield myself 45 seconds.

This is the first step. And now that we have permanently settled how much revenue the government is going to take out of the economy, we can move on to next steps. We can and will pursue comprehensive tax reform this year, in 2013, and next steps. We need to address the fundamental driver of our deficits and debt, and that is out-of-control spending.

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

Mr. LEVIN. I yield myself 15 seconds.

I just don't want the chairman's statement that this settles permanently how much revenue will be made available. The President has made clear there has to be a balanced approach, and no one should be misled into thinking otherwise, no one.

I yield 2 minutes to the distinguished gentleman from New York (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. This is no profile in courage for me to be voting for this bill. It reminds me of the joke we use to have on Lennox Avenue, where someone stopped hitting you on the head with a hammer and you're supposed to say, ''Thank you so much for the relief.''

We created this monster. We're the ones that have said—at least the Congress has said in the majority in the House—do what you have to do but, for God's sake, don't ask the top 2 percent of the wealthiest people in this civilized country to pay their fair share. And while you're thinking about taxing people, why don't you start talking about cutting people off from unemployment compensation? Why don't you think about not providing so much for the sick and the aged? Why don't you start privatizing these things?

This was not the America that I knew when I came to the Congress. This was something that a handful of people from nowhere came here and started preaching that we had to destroy Big Government and the vulnerable who had no lobbyists, who had no one to come to, were saved by us, by responsible people who came together and said, basically, Have you lost your mind? What are you doing? How can you go home and tell the people this is what you created?

And so we paused and common sense has prevailed, and we can at least go back home and say, Not now, but they're coming again.

They have all types of words that they're using, like the debt ceiling, but all it means is that they're coming after us and they're coming after the President. They'll be talking about sequestration. What will it mean? Cutting benefits from people that need them the most.

And with all due regards to the other body for once doing what the House could not get together in doing, we never even saw how they paid for some of these things, things that we would have handled differently when we had to pay for those doctors who work very hard for the Medicare. And people say, Well, how are you paying for them? And everyone had amnesia in not knowing. Well, after it's over, they'll get paid, but this Congress will make certain that the providers of health care are not penalized for this Congress doing the right thing.

Mr. CAMP. I yield 30 seconds to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. I just wanted to thank so many on the other side after all these years for finally acknowledging publicly that 98 percent of the Bush tax cuts helped the middle class.

Mr. LEVIN. I will yield to my temptation to respond, and I will now yield 2 minutes to another distinguished gentleman, a member of our committee, Mr. NEAL of Massachusetts.

Mr. NEAL. Thank you, Mr. LEVIN.

At this late hour, let me point something out and take exception to what

Chairman CAMP said at the outset of his remarks. We're here tonight because, despite what the gentleman from Texas just said as well, you can't cut taxes by $2.3 trillion over 12 years and fight two wars.

When you heard the argument before that was so popular, ''It's the people's money; it's going to promote economic growth,'' the most anemic economic growth America's had since Hoover became President, do you know what's the people's responsibility? Those veterans' hospitals. We have 1.7 million new veterans and 45,000 wounded. Do you know what the Republican whip said during those crucial years? Cutting taxes in a time of war is patriotic. So much for sacrifice for all of us.

When you look back into how we got to this problem—revenue at 15 percent of GDP—that's an Eisenhower figure headed toward Truman. We've argued in this town about 19 to 21 percent for the better part of 30 years. Fifteen percent of revenue with GDP, 12 years of tax cuts.

Now, this represents a reasonable step forward tonight. And I want to say with some personal satisfaction that I'm delighted with what we have finally done to put to rest the alternative minimum tax.

□ 2210

A million families in Massachusetts were threatened with alternative minimum tax. It was the responsible position tonight. But I want to give you a number. You know what these patches have cost us? $2.2 trillion over the life of AMT. The theology that we heard that was so popular in this institution—tax cuts pay for themselves—you can't find a mainstream economist today in America that will acknowledge that problem.

This is a reasonable step forward. Vote for this measure, and let's get on to fundamental tax reform.

Mr. CAMP. I reserve the balance of my time.

Mr. LEVIN. I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. This evening, we're expected to vote on an item that has many commendable and important items. Unfortunately, too many are of short duration, much is left out, and most importantly we're losing a real opportunity for reform.

The SGR is left in a year to torment medical providers again. The AMT, I'm pleased, is patched—I appreciate the advocacy of my friend, Mr. NEAL. But, in fact, we all know that it should, at a minimum, be reformed, if not repealed.

We have a body blow to the alternative energy industry, and somehow it's given a year's reprieve, but it's not what they need or what they deserve. And because we refuse, at a moment of opportunity, to deal meaningfully with the national debt—and remember, the budget from my Republican friends, authored by my colleague, Mr. RYAN, would have required $6 trillion headroom in the debt ceiling.

Now, we cannot continue to have the world's largest and most expensive military by far, the lowest taxes of any of the major economies, the most expensive and inefficient health care, and continue to allow our country's infrastructure to fall apart while America ages and grows.

This proposal represents absolutely the least we could have done under these circumstances and, tragically, institutionalizes for the next Congress the madness around here of short-term frenzy around self-inflicted deadlines that have no reality to them. That drives the American public crazy, and with good reason.

Not only can we do better, I would suggest that we must do better.

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

Mr. LEVIN. I yield the gentleman an additional 20 seconds.

Mr. BLUMENAUER. It's probably going to pass with overwhelming bipartisan support. So be it. I can only hope that, in that spirit of taking a risk on both sides of the aisle—and both parties and the administration—that the administration and the new Congress gets serious about reform and delivering services more cost-effectively in ways, ironically, that people on both sides of the aisle agree with that are absent in this proposal.

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

Mr. LEVIN. I now yield 2 minutes to another member of the Ways and Means Committee, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. The American people are the real winners here tonight, not anyone who navigates these halls. Let's make that clear.

We don't have a perfect bill in front of us—in fact, we've never had a perfect bill in front of us—but this is a bill which will provide much needed certainty to millions of middle class American families that their income taxes will not increase.

Since the recession in 2008, there has been a 25 percent increase in the number of families below the poverty line in my home State of New Jersey. I'm sure we'll see more as a result of the devastation of Hurricane Sandy. Lest we forget before tomorrow that we need to respond to that storm as all of us responded to the other catastrophes over the past 10 to 15 years. We should not have exceptions, particularly from those States who are donor States. If you want to get into nickels and dimes, then let's get into nickels and dimes. We've done our share and will continue to do it. We want everybody to step up to the plate.

We've been able to help families in need by extending the earned income tax credit to 563,000 New Jersey taxpayers, who will earn an average of $2,169 more because of the program. We have also helped 460,000 New Jersey families take advantage of the child tax credit. Many of you, regardless of which State you come from, your constituents have taken advantage of that great program. Almost 400,000 have been able to use the education tax credits.

Lest we forget what we've done on the alternative minimum tax, the chairman of the Ways and Means Committee will tell you how many times alternative minimum tax comes up, and yet we did nothing about it, pushing it patch to patch, year to year. In just one county in my district, 87 percent of the families have been affected.

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

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. I ask to have a ''yea'' vote on this legislation so we can all be proud and be happy for a change when we wake up in the morning.

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

Mr. LEVIN. I now yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ), our colleague-to-be on Ways and Means.

Ms. SCHWARTZ. I rise this evening in strong support of the Jobs Protection and Recession Prevention Act of 2012. By passing this bill, Congress provides economic security and certainty for middle class families.

This legislation, which passed the Senate with overwhelming bipartisan support, permanently extends tax cuts for 99 percent of American families and small businesses, it protects seniors' access to doctors, it expands affordability of college for millions of young people, it makes vital investments that build economic growth and new jobs in this country, and it averts the fiscal cliff and the harmful economic consequences that might have resulted.

As we close out this Congress, we've reached resolution on a major issue facing this Congress and our Nation: fairer tax policy for our families and our businesses.

There's more work to do. In the next Congress, my guess is that it will be just as difficult to reach bipartisan solutions, but that doesn't mean it can't be done. Tonight's vote, I hope, demonstrates that in fact it can, and it benefits American families and American businesses and America's future.

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

Mr. LEVIN. I now yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, tonight we will pass 83 provisions that remove Federal revenue, totaling $3.9 trillion, all of it deficit financed. Now, we will add $64 billion more this year to reducing the deficit. So if we have a $1.3 trillion annual deficit this year, it will bring it down to $1.24 trillion.

Now, many of us feel—certainly on this side—that the deficit doesn't matter, but it does matter because we have another deficit: a deficit in investment in the education of our children, an investment in the training and skills of

our workforce and the fiscal infrastructure of our country. We will have none of those resources to make that investment after we make this vote tonight.

The problem is we set up three more fiscal cliffs. We're going to have to deal with the debt ceiling, we're going to have to deal with the continuing resolution expiration, and we're going to have to deal with the sequester. All that's left is spending cuts.

So the only question we have to ask ourselves is, what programs do we cut and how deep do we cut them? We're going to look back on this night and regret it, notwithstanding the fact that 95 percent of us apparently will vote for it.

Mr. CAMP. Mr. Speaker, I would advise the gentleman that I am prepared to close.

Mr. LEVIN. I now yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I rise today to support this bill because essentially we have two choices here: We either vote for this bill and we prevent us from going over the cliff, or we go over the cliff. That would certainly wreak havoc with the market and with everything else.

□ 2220

But it never should have come to this. We should have been negotiating and passing a balanced bill. The American people are really fed up with what they see in the dysfunctional Congress. Harry Truman back in 1948 when he was running for President campaigned against the 80th, and he called it the ''do nothing'' 80th Congress. That ''do nothing'' Congress passed three times as many bills as the 112th Congress did. And so here we are at the last minute, and we are rushing to pass this bill. It never should have happened this way.

I commend President Obama and Vice President BIDEN for protecting the middle class with this and for doing the best that they can; but, my friends and my colleagues, we are going to have to work to meet in a sensible center. We are going to have to not play these brinksmanship games. The American people don't want it.

President Obama won reelection campaigning for the middle class. This keeps those priorities, and we ought to support it.

Mr. LEVIN. I now yield 2 minutes to DANNY DAVIS, our colleague from Illinois who is soon rejoining us on Ways and Means.

Mr. DAVIS of Illinois. Mr. Speaker, I have never seen a compromise where everybody got everything that they wanted or liked everything that they got. I certainly don't like everything that I see in this bill, and I certainly didn't get everything that I wanted. But I do like the fact that senior citizens can go to the doctors because they're being paid a reasonable rate. I don't like the fact that some of the health programs in my communities in disproportionate hospitals all across the country are being cut.

I just got two phone calls a few minutes ago from two constituents, one from Oak Park, Illinois, and one from Westchester. They both did all that they could do to convince me to vote against this bill. And after listening to them, I thanked them, but then I told them, do you know that 320,000 people in our State relied upon unemployment insurance benefits last year? I don't know how I could face those individuals with no hope, no possibility, and no idea that they're going to have a check in the mail. But when I go to church on Sunday, I know that I will see people with the assurance that pretty soon an unemployment check is in the mail. And that's one of the reasons that, yes, I will vote for this bill, because it's good legislation. People need it right now—not next year, not next month, and not next week.

Mr. LEVIN. I now, with pleasure, yield 3 minutes to another member of our leadership, the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, it's tempting to say it's about time the House put aside extreme partisanship and work together on compromise to address the Nation's most pressing issues. But, in reality, it is far past time that we put aside extreme partisanship. Throughout the entirety of the 112th Congress, we have seen narrow political interests placed ahead of the public interest.

So here we are on New Year's night, with the clock running out on the very existence of this Congress, finally considering bipartisan legislation to provide middle class tax cuts, require the wealthiest to, once again, pay their fair share so we can grow the economy, create jobs and protect the most vulnerable in our society. It is indeed well past time we got about the people's business.

Mr. Speaker, in 2011, I served on the Biden group of both Republican and Democratic Representatives and Senators who worked with the Vice President on our Nation's fiscal issues. We made good progress in those talks until our Republican friends walked away, fearing the wrath of the Tea Party. I also served on the bipartisan Joint Select Committee on Deficit Reduction, the so-called supercommittee that spent countless hours discussing these issues in detail. It was very clear that the elements of a fair and balanced fiscal plan were achievable. But at the end of the process, the Republican leaders refused to compromise, and the supercommittee failed.

So here we are. While this is not a perfect bill, and I have serious concerns about some of the cuts it contains, it does contain the element of fairness.

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

Mr. LEVIN. I yield the gentleman 1 additional minute.

Mr. CLYBURN. This bill protects the middle class and working people with a more progressive Tax Code than we've had in a very long time. And this bill prevents the meat-axe approach of budget cuts that could do more severe damage to our national defense and important domestic priorities.

Mr. Speaker, I hope that the partisanship of the 112th Congress will end this week with the end of the 112th Congress, and I am hopeful that the 113th Congress can work together toward honorable compromises to get the people's business done. I urge a ''yes'' vote.

Mr. LEVIN. We are going to vote soon, but first we want to hear from our whip, the distinguished gentleman from Maryland, who has worked so hard on these issues for decades.

I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for his leadership, and I thank Mr. CAMP for his leadership.

There is, of course, a time for partisanship. There is a time for making our political points, and that time has been, and it will be again. That time is not tonight.

All of us have traveled throughout this country; and we have heard our constituents, our neighbors and our friends say, please, don't have us go over the cliff. They're not sure exactly what ''going over the cliff'' means, but they intuitively and deeply feel that it will not be good to go over that cliff. And so we come to this floor tonight with almost everyone who has spoken saying this bill is not perfect, and, of course, that observation could be applied to any and all bills that we consider in this House.

Compromise is not the art of perfection. By its very definition, a compromise contains elements that neither side likes. But it also contains pieces both sides can embrace. What we will do tonight is not only adopt a piece of legislation that will give literally tens of millions of Americans the assurance that their taxes will not be raised; millions of small businesses assurance that their taxes will not be raised; millions of people who, through no fault of their own, are struggling to find a job and trying to keep bread on their table the assurance that we will be there to help.

Tonight, we will come together and do something else. With 37½ hours left to go in the 112th Congress, we will display to all of our constituents that, yes, in the final analysis, we have the ability to come together, to act not as Republicans, not as Democrats, but as Americans, 435 of us sent here by our neighbors and friends to try to do the best we can, realizing that there are 435 points of view that sit in this Chamber, and that what we strive to do is to reconcile those differences to create consensus, for without consensus, democracy cannot work.

There will be time for partisan differences. There will be time for partisan confrontation in the days in the 113th Congress. But this night, as we

end the 112th Congress, as we have strived mightily to come to an agreement with great difficulty and realizing that all of us have very strong feelings, I severely regret that this is not a big, bold, and balanced plan.

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

Mr. LEVIN. I yield the gentleman an additional 1 minute.

□ 2230

Mr. HOYER. We had an opportunity to reach such an agreement in a bipartisan fashion, and we will not reach a big, bold, and balanced plan without bipartisanship because the decisions we'll have to make will be too difficult not to be done in a bipartisan fashion.

This night, we take a positive step, and the people watching us, Mr. Speaker, on television tonight and reading about their Congress tomorrow are seeing that we were able to act, not perfectly, but in a bipartisan fashion to try to take a step towards fiscal responsibility, fiscal stability, and, yes, caring for those who most need our help in this country.

I urge my colleagues, as the leader of my party in this Congress urged us, to support this legislation, not as a Democrat, not as a Republican, but as an American who understands that our people believe that action is necessary. And I would urge all of us as we close this debate to do so in a way that brings us together, not drives us apart; that reaches out to the best in us, not to the partisan in us.

Mr. Speaker, it is time for this Congress to come together, address this issue, act together, and pass this bill.

Mr. CAMP. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I think what gets lost in the 30-second sound bites on the fiscal cliff is the real cliff facing this country in the form of a massive wave of entitlement obligations.

Government accounting doesn't tell the whole story. The actual liabilities of the Federal Government, the present value of Medicare, Medicaid, and Social Security programs already exceed $86 trillion. By 2040, our entitlement obligations will consume all of the average postwar projected tax revenue. We have to come to grips with that.

That means every dollar collected by the IRS would go to pay Social Security, Medicare, or Medicaid, without reforms. We will have to go out and borrow to pay for other spending should that happen. It is unfortunate that the President wasn't willing to engage on this front, and it is unfortunate that the Senate leader continues to deny the crisis.

On the day of new year's resolutions, let's hope Senator REID and President Obama resolve to be honest about the crisis our Nation faces with the coming wave of entitlement obligations, making these programs solvent, and reining in these trillion dollar deficits, which every economist will tell you is unsustainable. This must be done in 2013.

Without the legislation before us today, without this bill, millions of Americans would see their tax rates go up, and that would provide a systemic shock to our already weak economy. This plan that we're about to vote on locks in a reduced tax rate for middle class families who otherwise would have seen $3,000 in higher taxes on average. It permanently holds down the death tax, which impacts so many small businesses. It permanently protects the middle class from the alternative minimum tax, and it adjusts that for inflation.

The plan does away with a new entitlement program created in ObamaCare, and it makes permanent a 15 percent capital gains and dividends rate for income up to $400,000 for singles, $450,000 for married couples, and a 20 percent rate for those above. That rate would have gone to 39.6 percent for dividends. That would have been very injurious for our capital markets. That would be very injurious for economic growth if we allowed that to happen.

Tax relief has been achieved. Now is the time for the President to work with Congress to address government overspending, the underlying problem.

Mr. LEVIN. If the gentleman from Michigan is ready to close, I'll do the same and yield myself the balance of my time.

I regret the last statements. It is not correct to say that the President has not been interested in deficit reduction. That is not true. It was the Republican leadership in this House that walked away from a big package. So I think it is troublesome that you come here apparently saying you're going to vote for this bill by launching an unfair, untrue representation of what's been going on.

I want it to be very clear, because my guess is that the chairman will talk again that there has been a permanent level of revenue set by this bill. That is not correct. If that's an effort to get votes on your side, I want the record to be clear.

I'm going to close by reading from the President's statement of yesterday:

> I want to make clear that any agreement we have to deal with these automatic spending cuts that are being threatened for next month, those also have to be balanced, because, remember, my principle has always been let's do things in a balanced, responsible way.
>
> The same is true for any future deficit agreement. Obviously, we're going to have to do more to reduce our debt and our deficit. I'm willing to do more—

He already has done substantial.

> —but it's going to have to be balanced. We're going to have to do it in a balanced way.

And then he talks about the need to address Medicare.

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

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

We've heard some talk about what does the fiscal cliff mean, and I would say that I agree with my friend from Maryland that if we didn't address the fiscal cliff issue, every single American would see a tax increase, and it would be a big tax increase. It would be the biggest tax increase in the history of the country. That's why it's so important we're here tonight acting in a permanent way.

And I would say also to my friend from Michigan, he is correct, this is a permanent tax policy. These are permanent tax provisions we're putting in this bill that permanently sets the baseline. It permanently sets how much money the government can take out of the economy. Because of this, this is the largest tax cut in American history.

I think that's helpful, because the best way to get out of our debt and deficit is to grow our economy. We can do that through comprehensive and fundamental tax reform, and this is just the first step to getting to the ability to strengthen our economy and create the jobs we so badly need.

We've had years of anemic economic growth. We have projected anemic economic growth in 2013. It is so important that we try to create jobs and grow the economy, and we can do that through comprehensive pro-growth tax reform that lowers rates, broadens the base, and simplifies a Tax Code that is far too complex.

□ 2240

As I said in my opening statement, the Tax Code is a nightmare—and it is—and it's getting almost late enough to have a nightmare ourselves.

Let me just say that we not only need to grow the economy, but we also need to address the fundamental causes of our debts and deficits, and that's out-of-control spending—obligations that we have not got the financial wherewithal to meet. We need to strengthen those programs and make sure that they're sustainable for the long term, but we also need to address the problem that is out-of-control spending.

So this is the first step—permanent tax policy that then sets the stage for comprehensive and fundamental tax reform—and then addressing out-of-control spending. This will be several steps. This is an important one, and this is a critical one for the future of the country. I urge a ''yes'' vote.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I rise today to discuss the devastating across-the-board sequestration cuts set to take place across the entire federal government tomorrow—January 2nd. Half of those cuts would come from the Department of Defense and our national security programs.

The Department of Defense, industry, and the Congressional Defense Committees, have repeatedly and consistently warned of the consequences of letting sequestration take place. If allowed to happen, the impact to the Department of Defense would be a reduction of 8.2

percent or $54.6 billion from the fiscal year 2013 budget. The total sequestration reduction for Defense through fiscal year 2021 amounts to roughly $492 billion—almost half a trillion dollars.

With military pay and personnel costs exempt from the cuts, the actual cut to all other accounts increases to 9.4 percent. Even though the Department of Defense has some limited flexibility to allocate sequestration cuts in the operating accounts, a computer will cut all procurement and research accounts proportionally—which will directly impact more than 2,500 programs and projects. The impact on our national security and readiness will be severe.

Base operating budgets will be cut, negatively impacting readiness. Training could be significantly reduced, resulting in unprepared troops and higher risk to those who deploy. Civilian personnel will certainly be affected, possibly resulting in hiring freezes and unpaid furloughs. Fewer weapon systems will be bought, which starts a vicious circle of rises in unit prices for the remaining weapons. Other major weapon systems will be reduced or terminated, and current contracts may have to be terminated or renegotiated, resulting in additional costs to the government and a loss of favorable contract terms in some cases. Procurement and Depot Maintenance schedules will be severely impacted, which is enormously disruptive, especially in shipbuilding and maintenance when future deployments rely on maintaining schedules.

Earlier this year, Secretary of Defense Leon Panetta testified that the impact of sequestration on the Department of Defense alone would drive up our nation's unemployment rate by a full percent. Jobs will be lost but more importantly, infrastructure and manufacturing capabilities critical to our national security will be lost. Already prime contractors have notified their suppliers and subcontractors that programs are on hold. This has left thousands of small businesses with no choice but to close their doors and lay off workers as work orders have dried up.

Our nation's manufacturing base relies upon these workers and their special skills. We rely on these small businesses to supply critical components for important weapons systems and platforms.

Mr. Speaker, as you know, the impact of sequestration is very real and is very imminent. Just consider that if sequestration remains in place for its full nine years, our nation will be left with the smallest ground force since 1940, the smallest number of ships since 1915, and the smallest Air Force in history.

When we talk about the fiscal cliff, these across the board cuts to our defense budget will result in not only an economic fiscal cliff, but of greatest concern to me, a cliff off which our national security will fall. This will impact our readiness, our ability to defend our nation, and our ability to ensure the safety of our all volunteer force as they operate around the world.

I urge my colleagues in the House to do everything we can to ensure that sequestration does not become a stark reality tomorrow. Failing to take action will cause irreversible harm to our nation's security and violate our Constitutional responsibility to "provide for the common defense."

Mr. THORNBERRY. Mr. Speaker, it was the issue of taxes that led to me running for Congress in the first place. The question of how much of your money the government forces from us is central to the relationship of the individual with government and to the freedom of the individual. And in the past several years through calls, emails, and personal meetings, I have heard from many of my constituents about the necessity of having stability in the tax code.

Making the current tax rates permanent for the vast majority of Americans, as this bill does, is a major accomplishment. No longer will the threat of major tax increases because of an expiring law hang over the heads of taxpayers. Providing tax certainty for individuals and businesses has long been needed and will allow them to plan and make decisions. Hopefully, it will help the economy grow. And finally having an answer on the death tax, although I prefer to abolish it entirely, is also critical for every farmer, rancher, and small business person in the country.

The clearest reason to vote against this bill is because of what it does not do—limit spending. Too much spending, along with low economic growth, is the reason that our debt is mounting and that our children's future is in peril. This bill is a missed opportunity to take meaningful action to deal with that problem, and I supported efforts to have significant spending cuts included in this measure. But it is not our last opportunity.

It is always possible to justify voting against a bill for what is not included in it. One must go further and ask, "What happens if this bill is defeated? Will the result be better or worse for the country?" We also have to make a judgment on what is possible with the current cast of characters that the American people have elected to office. It does no good to imagine some ideal measure that could never pass the Democratically-controlled Senate or that President Barack Obama would never sign into law. I am a conservative, and I am also a realist.

The answers to those questions lead me to conclude that it is better to approve this bill at this time, understanding that we must use the next few weeks of discussion about the debt limit to find a way to significantly reduce spending and begin to get our economic house in order. House Republicans do not have to accomplish everything in one bill, but time is running out for us to get spending under control. In coming weeks, we will need to consider every tool at our disposal to convince the White House and the Senate on the imperative of cutting spending.

Of course, there are provisions in this bill with which I disagree. For example, extending some of the tax credits from the stimulus bill and continuing to pay unemployment for an additional year discourage work and encourage further dependency on government. But they total about $100 billion out of a $4 trillion bill; the rest of the "cost" is due to extending tax provisions that have been in place for more than a decade.

Stepping back and looking at the whole picture, it seems clear to me that preventing a tax increase for most Americans and making all tax rates permanent is an important step for families all across the country and for the economy as a whole.

Other provisions contained in this bill are important to the people in my district. One would extend the current farm bill for the remainder of the fiscal year, allowing farmers and their bankers to make decisions on planting. That provision also prevents the price of milk from doubling this week. Another section prevents the 27% cut in Medicare reimbursement to doctors, which would have made it very difficult for Medicare patients to find a physician to treat them.

Approving this measure is just a step. Next, we must do whatever is required to control spending, especially spending in mandatory programs that constitute nearly two-thirds of the budget. I continue to support comprehensive tax reform, which can ease the pain to taxpayers, help us be more competitive in the world, and give our economy a real boost. We do not have to do all of these things in one bill—and it would be a mistake to try—but we must do them for the sake of our country and our future.

Mr. HOLT. Mr. Speaker, as the Congress lurches from self-imposed crisis to self-imposed crisis, it is easy to understand why members of the public shake their heads in disgust at the inability of the government to do the important work of America to help Americans.

The negotiators of this deal should never have agreed to bargain under a hostage-taking deadline. Of course, for long term economic stability and growth we must have greater balance between revenue and expenditures. That means Congress should pay close attention day to day, month to month, to revenue and to spending and should bring them more into line. That should always be true, though, not just whenever someone says there is a crisis.

And say what you will, there is no good reason for a crisis now. The deadline is artificial. This "fiscal cliff' is the result of a deal agreed to in August 2011 when some congressional members who dislike government tried to prevent the U.S. from paying our debts, and the White House and Congressional leaders allowed them to hold the government hostage and then to impose automatic spending cuts and tax increases in the most thoughtless, ham-handed way. And the negotiators should never have negotiated with hostage takers, or after the debt-ceiling confrontation was past, should never have let the hostage-takers demands live on.

As I see it, the big problem with the fiscal package before us today is that it was debated and negotiated on the terms set by the hostage takers in 2011. Instead of talking about what our government needs to do put people to work, to reduce unemployment, to educate Americans, to rebuild our roads and bridges, to stimulate vibrant and innovative industry, to tend to the nourishment, the housing, the cultural well-being of all Americans—and then doing those things—Congress and Administration have spent several months neglecting all the important work in front of us—drought relief, elementary and secondary education act, violence against women act, bridge repair, better transportation, better communication, reliable mail delivery, etc. etc. and instead focusing on such things as whether the marginal tax rate should be 36 percent or 39.6 percent for income earned above $250,000 or $450,000.

Why should the President, why should the Democratic leadership in Congress, have agreed to negotiate with hostage takers under contrived, media-fueled deadlines. Why should the President, why should the Democratic

leadership in Congress, have accepted the inane premise of the Tea Party and the Peterson Institute that our nation is defined by its debt and that we are in effect a poor, debtor nation and that the government is helpless in the face of that debt. There is no good answer to a bad question.

The premise of the deal before us is false, and the Democratic negotiators have been trying hard to find a good outcome based on that false premise. In fact, we do have a long term problem with the debt. We should work to correct it, but also we should recognize that it is long term. Meanwhile we have some immediate problems— stubborn unemployment, a sluggish economy, crumbling infrastructure, and millions of Americans in need of housing and food. We should not allow our concern for the debt to paralyze our government, and thus prevent action on the immediate, critical problems affecting our people in the here and now. The blatant, sad irony is that dealing aggressively with those immediate problems—the very problems whose solutions are being pushed aside by the artificial, self-imposed debt crisis—also would be the best way of dealing with the long term debt problem. It would be the best way of generating the economic activity and growth necessary to put our people back to work and our debt in its place.

This deal was done in the wrong way. The postponed crisis will reappear with the debt crisis and sequestration and tax increases in March, and the President will be in a weaker, not stronger, position to deal with the crisis then. However, I do not want to make the situation worse by weakening the President's hand and weakening the economy by allowing the government so to speak to ''fall off the cliff', so with great reluctance I will support this bill.

Mr. LANGEVIN. Mr. Speaker, I rise in support of H.R. 8, the American Taxpayer Relief Act of 2012. It goes without saying that this is no one's idea of a perfect bill. However, the American people are counting on Congress to act to prevent a tax increase on the middle class, just as our economy is starting to recover.

President Obama, Vice President BIDEN, and Senate Democrats and Republicans have done what the voters sent us here to do: find a balanced approach to help get our fiscal house in order. House Democrats have been ready to do our part, and I am glad that our Republican colleagues have finally allowed this legislation to come to the Floor so that we can ensure our nation does not feel the harmful effects of the fiscal cliff. It should not have taken this long, and it should not have been this hard.

While I have serious concerns about certain portions of the agreement, I am very pleased that—first and foremost—middle class families will be protected from a tax rate increase. Not only will we permanently extend middle-class tax cuts, but this deal will also extend the child tax credit and the earned income tax credit, and it permanently ensures that the Alternative Minimum Tax will not hit middle-class families.

Very importantly, this package also includes a critical extension of unemployment benefits for those still struggling to find work, and I am grateful for the efforts of Senator Jack Reed and others to ensure this provision was part of the final deal.

I have called many times in recent months for the expiration of Bush-era tax rates on income over $250,000, and I am disappointed that this agreement does not meet that goal. However, while the income threshold of $450,000 is higher than I would have liked, it is nonetheless a major step forward that the very wealthiest Americans will begin to pay their fair share under this bill. Democrats have already agreed to over a trillion dollars in spending cuts, and it is critical that some significant revenue is finally being put on the table.

Of particular interest to Rhode Island's wind energy industry, this bill extends the Production Tax Credit and the Investment Tax Credit for renewable energy, which will mean critical jobs for our state. It also provides our doctors with another year of relief from Medicare reimbursement cuts.

One thing many of my colleagues and I made clear to House leaders was that we would not support a deal that cut Medicare or Social Security benefits for our seniors, and I am glad that they listened to us.

Overall, this agreement sets the standard for a balanced approach that demands shared sacrifice through both spending cuts and revenue increases. I have long advocated for such an approach, and I am hopeful that this will be the model for our deficit reduction efforts in coming years.

Unfortunately, this deal is no ''grand bargain,'' and it sets up yet another potential crisis mere weeks from now by pushing off a solution to sequestration for two months, right at the same time we will need to increase the debt limit and renew government funding. No one wants to relive this fight, and I would have much preferred to resolve these perennial issues all at once.

Nonetheless, it is time to act. We have an obligation to move forward with a balanced compromise, and I believe that we have achieved that. I urge my colleagues to support this agreement, and I hope that we can begin the 113th Congress with a renewed commitment to address our nation's many complex challenges with seriousness and cooperation.

Ms. JENKINS. Mr. Speaker, as the sponsor of the bill to extend Section 45G of Title 26 in the IRS code, I rise today to clarify the impact that the extension of this provision within the text of H.R. 8 will have on short line railroads.

As a Certified Public Accountant, I would like to iterate that in IRS Code section (1)(2) under 45G, it is the intent of the law that assignments of railroad track miles for purposes of calculating a railroad track maintenance tax credit for the taxable year that ended on December 31, 2012 may be completed in 2013, due to the late extension of the 45G credit in this legislation.

This belated extension should not be construed as an attempt by Congress to eliminate the ability of short line railroads to use subsection (b)(2), but rather to preserve that ability for tax year 2012.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 844, the previous question is ordered.

The question is on the motion by the gentleman from Michigan (Mr. CAMP).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on the motion to suspend the rules and pass Senate Joint Resolution 44, if ordered.

The vote was taken by electronic device, and there were—ayes 257, noes 167, not voting 8, as follows:

[Roll No. 659]

AYES—257

Ackerman
Alexander
Altmire
Andrews
Baca
Baldwin
Barber
Barletta
Bass (CA)
Bass (NH)
Benishek
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Boehner
Bonamici
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Calvert
Camp
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeGette
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
Markey
Matsui
McCarthy (NY)
McCollum
McGovern
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Reyes
Ribble
Richardson
Richmond
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schwartz
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Speier
Stivers
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)

Upton
Van Hollen
Velázquez
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Womack
Yarmuth
Young (AK)
Young (FL)

NOES—167

Adams
Aderholt
Akin
Amash
Amodei
Austria
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Becerra
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Boustany
Brooks
Broun (GA)
Bucshon
Burgess
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Conaway
Cooper
Cravaack
Crawford
Culberson
DeFazio
DeLauro
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hensarling
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Labrador
Lamborn
Landry
Lankford
Latham
Long
Lummis
Mack
Marchant
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McDermott
McHenry
McIntyre
McKinley
Mica
Miller (FL)
Miller (NC)
Moran
Mulvaney
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Smith (NE)
Smith (WA)
Southerland
Stearns
Stutzman
Terry
Tipton
Turner (OH)
Visclosky
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Woodall
Yoder
Young (IN)

NOT VOTING—8

Buerkle
Burton (IN)
Graves (MO)
Lewis (CA)
Lewis (GA)
Paul
Stark
Woolsey

□ 2257

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GRAVES of Missouri. Mr. Speaker, on rollcall No. 659, I was unavoidably detained. Had I been present, I would have voted "no."

Ms. BUERKLE. Mr. Speaker, on rollcall No. 659, had I been present, I would have voted "no."

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.

STATE AND PROVINCE EMERGENCY MANAGEMENT ASSISTANCE MEMORANDUM OF UNDERSTANDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the joint resolution (S.J. Res. 44) granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

The Clerk read the title of the joint resolution.

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 joint resolution.

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

A motion to reconsider was laid on the table.

CLOTHE A HOMELESS HERO 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. 6328) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes.

The Clerk read the title of the bill.

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

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

UNINTERRUPTED SCHOLARS ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 3472) to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill.

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.

FOREIGN AND ECONOMIC ESPIONAGE PENALTY ENHANCEMENT ACT OF 2012

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. 6029) to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, 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 Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CORRECTING AND IMPROVING THE LEAHY-SMITH AMERICA INVENTS 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. 6621) to correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code.

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. SMITH) that the House suspend the rules and concur in the Senate amendment.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

INTERCOUNTRY ADOPTION UNIVERSAL ACCREDITATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 3331) to provide for universal intercountry adoption accreditation standards, 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 gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill.

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.

DEPARTMENT OF STATE REWARDS PROGRAM UPDATE AND TECHNICAL CORRECTIONS ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on

suspending the rules and passing the bill (S. 2318) to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, 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 gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill.

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.

INVESTIGATIVE ASSISTANCE FOR VIOLENT CRIMES ACT OF 2012

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. 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 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.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONDEMNING NORTH KOREAN MISSILE LAUNCH

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing 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 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, as amended.

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

A motion to reconsider was laid on the table.

CONDEMNING IRAN FOR PERSECUTION OF BAHA'I MINORITY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing 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 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, as amended.

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

A motion to reconsider was laid on the table.

URGING EUROPEAN UNION TO DESIGNATE HIZBALLAH AS A TERRORIST ORGANIZATION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing 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 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.

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

A motion to reconsider was laid on the table.

□ 2320

FISCAL RESPONSIBILITY

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

Mrs. SCHMIDT. Mr. Speaker, this is the last speech that I will ever give in this House and it saddens me the way I have to leave, because we leave as a divided caucus and a divided House.

The American public expects more from us, but the American public also expects us to recognize that we are spending their money, and we are spending ourselves into a debt that we will not be able to repay. Our children and our grandchildren will be the heirs of our misspending of our taxpayer dollars.

I voted ''no'' tonight because we were increasing our debt limit at an unprecedented proportion. My dear colleagues in this House, as I leave this body, I ask you to be conservative in your votes on spending. Remember, we have children and grandchildren that will be saddled with this debt. We are a great country, but we are a great country because we can afford to pay our bills. Let us not lead down into the path of fiscal irresponsibility or that will no longer be the case.

God bless this institution, and God bless the United States of America. And thank you for this 7 years and 4 months I was able to honor the Second Congressional District. God bless all of you.

HURRICANE SANDY RELIEF

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

Mr. HOYER. Mr. Speaker, I have just been informed that we will be having perhaps no further votes in this Congress. I am deeply disappointed at that information.

We have millions of our fellow citizens who have been badly damaged by a storm called Sandy. Overwhelmingly, the United States Senate passed some relief. I can't remember a time when we had a very serious storm, tornado, fire, or flood when we did not act. This Congress is apparently leaving town without responding to that emergency.

There's not one of us, not one of us in this Congress that could not be in the same position. I live in a coastal State, but whether you live in the Midwest or the far west, whether you live in the South or the East or the North or the West, you could be and your citizens could be and your neighbors could be confronted by a natural disaster—or for that matter, a man-made disaster—and our fellow citizens would expect us to respond as the United States Senate has responded.

It was my belief, an assurance was given to me—not 100 percent—and the gentleman who gave it to me did not make this decision, but I am deeply disappointed, Mr. Speaker.

The people who have been damaged by Sandy, including Governor Christie, a Republican, and Governor Cuomo, a Democrat, should be deeply disappointed and, yes, angry that this Congress would adjourn without addressing the pain of our fellow citizens.

I've been to New York. I've walked the beaches. I've seen the homes that have been destroyed, with my colleague GREG MEEKS. I've talked to NYDIA VELÁZQUEZ. I've talked to other Members of Congress—Congressman CROWLEY, Congressman PALLONE, Congressman ROTHMAN—all of whom have had their citizens deeply damaged by the ravages of the, perhaps, storm of historical proportions that struck the Northeast. None of us is immune, not from a tornado or a flood or a fire.

I deeply regret this. I can't change this opinion, but it's not what we ought to be doing. There are Republicans who are deeply grieved by this

action and there are Democrats on this floor deeply grieved by this action. This is not the right thing to do. I would hope it would be reconsidered.

We have asked our Members to stay here, every one of them, knowing full well they wanted to go home just for a day to see their families.

Mr. Speaker, I would hope this decision would be reconsidered. I would hope that we would say to those citizens: We're here for you, one country, one nation.

HURRICANE SANDY RELIEF

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

Mr. NADLER. Mr. Speaker, the distinguished gentleman from Maryland said what had to be said, but I want to add that I've been in this House 20 years. We have seen droughts; we have seen storms; we have seen earthquakes; we have seen wildfires out west. This Congress has never, never failed to vote emergency appropriations for the aid of the beleaguered States. Never.

Hurricane Sandy struck on October 29, 8, 9 weeks ago. It's unprecedented that it should take so long, and yet we are now told that this House is going to adjourn sine die even though the Senate voted the aid, and we're going to do nothing? It's unprecedented. It is disgusting.

I can understand—I would not sympathize, but I could understand Members who might say the amount requested is too much, we should change it, we should quibble with it, we should debate it—fine. But to ignore it, to ignore the plight of millions of American citizens—unprecedented, disgusting, unworthy of the leadership of this House. They should reconsider or they should hang their heads in shame, Mr. Speaker.

HURRICANE SANDY RELIEF

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

Mr. PALLONE. Mr. Speaker, let me lend my voice to those who previously spoke, particularly Mr. HOYER.

My district was devastated by the storm. I have thousands of people who do not have homes, who are living in temporary circumstances. I have municipalities that have expended millions of dollars in trying to do the cleanup. The fact of the matter is that if we don't take action tonight and we let this House adjourn without taking action on the supplemental for the hurricane, we will suffer a great deal.

Many of these towns are waiting for the money to come through to provide funding for municipal services, for emergency services. Many of them are completely broke at this time in terms of their ability to provide help for their residents. This is a very serious matter. This need is immediate. This can't wait until next week or next month. There's absolutely no way that that can happen without having a tremendous negative impact on the residents of my district.

So I implore the Speaker, please reconsider this decision. It is just not possible for us to continue without having some relief from the Federal Government.

HURRICANE SANDY RELIEF

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

Mr. REED. Mr. Speaker, as a Republican, I stand up here today to join my colleagues on the other side of the aisle and associate my words with the gentleman from Maryland.

Even though my district was not impacted by the devastation of Hurricane Sandy, it is right and just that we take up this bill. I ask our Speaker to reconsider the decision that has been made not to address this supplemental in this Congress. And I join my colleagues across the aisle to ask for that relief so that we can get to the people that need it the aid that they so are in need of on this day and this age.

□ 2330

HURRICANE SANDY RELIEF

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

Mr. CROWLEY. Mr. Speaker, let me join my colleagues in my sadness that we are here at 11:30 on the 1st of January with time running out. We just had a historic vote, a bipartisan vote, something that people didn't think we could do here, but we did do that.

And now we're letting this opportunity slip away when people's homes have been destroyed, when people's businesses have been destroyed, and when tens of thousands of people who have suffered over 9 weeks have nothing to show from this Congress. That we would walk away without doing our part to help the people suffering in New York, in New Jersey, Connecticut, and Pennsylvania and other parts of the country is outrageous. It is simply outrageous.

We've done our part. We've worked with our colleagues. And I thank Mr. KING, and I thank Mr. REED and Mr. GRIMM for working with us. But it got us to no avail here. We needed to work to get this done for our constituency, and it has failed.

Mr. Speaker, please reconsider and bring this bill to the floor before we leave this Congress.

HURRICANE SANDY RELIEF

(Mr. KING of New York asked and was given permission to address the House for 1 minute.)

Mr. KING of New York. Mr. Speaker, tonight's action not to hold this vote on the supplemental is absolutely indefensible. There are thousands and thousands of people throughout Long Island, Rockaway, Staten Island and New Jersey and throughout the Northeast who are homeless tonight, who are without jobs, and who have lost their business. This is absolutely indefensible.

The fact is every bit of documentation that was required by the leadership of this House was provided by Governor Cuomo, Governor Christie, and Mayor Bloomberg. Everybody played by the rules, except tonight, when the rug was pulled out from under us—absolutely inexcusable, absolutely indefensible.

We have a moral obligation to hold this vote. The people who are out of their homes, the people who are cold, the people who are without food, and the people who have lost their jobs don't have the time to wait. We cannot just walk away from our responsibilities.

HURRICANE SANDY RELIEF

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

Mr. MEEKS. I'm sitting here in shock this evening. This is supposed to be the people's House. We are the United States House of Representatives. There are Americans that are suffering because of an act of nature. It is our obligation, not as Democrats, not as Republicans, but as Americans to make sure that we come to the aid of Americans. And that's why in this issue, Democrats and Republicans have worked together in any kind of crisis. Especially when it goes to natural disasters, we've always come together.

How can we, at this critical point, turn our backs on Americans? This is not supposed to happen here. It happens other places.

Mr. Speaker, we cannot turn our backs on our citizens who need us. Some will not have a place to stay for a long period of time. People have suffered, and people need food. We are Americans. This is what's supposed to separate us from everyone else. I am absolutely shocked.

Mr. Speaker, you have to reconsider.

HURRICANE SANDY RELIEF

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

Mr. ENGEL. Mr. Speaker, I have been a Member of this body for 24 years, and I don't think I've ever been as angry as I am tonight. This is unconscionable. In the last debate, I got up, and I said that when President Truman campaigned, he campaigned against the 80th ''do nothing'' Congress, and that ''do nothing'' Congress passed three times as many bills as this current ''do nothing Congress.''

And isn't this a fitting way for this ''do nothing'' Congress to end, by doing

nothing to help the plight of millions of people who are suffering in all of our districts?

This is an absolute disgrace, and the Speaker should hang his head in shame for not allowing this to come up. This is, again, not a Republican or a Democratic issue. It's an American issue.

I have voted for aid for Katrina, for all places all over the country. And for us in the Northeast to be treated this way is absolutely unconscionable. I would ask the Speaker to reconsider, and I would tell you that I have never been angrier than I am right now. I'm usually proud of this House. Tonight, I am ashamed.

Shame on you, Mr. Speaker.

HURRICANE SANDY RELIEF

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

Mr. GIBSON. Mr. Speaker, I want to add my voice to those who have spoken here tonight. We need to be there for all of those in need now after Hurricane Sandy.

I come from upstate New York, and this is a bipartisan effort. I just want to thank all my colleagues here in this House who helped my district after Hurricanes Irene and Lee. We had heartbreaking and devastating losses all across the region, and this body came together to provide the requisite help so that we could begin that long road to recovery.

And we need to be there for all of the American people who need help after storms. And now for Hurricane Sandy, we need to come together and ask the Speaker to reconsider to have this aid so that we can get this aid so that we can help this country get back up on track.

HURRICANE SANDY RELIEF

(Mr. ROTHMAN of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. ROTHMAN of New Jersey. Mr. Speaker, I represent the northeastern part of the State of New Jersey. Millions of New Jerseyans and millions of folks in New York, Pennsylvania, and Connecticut suffered devastating damage, about $60 billion worth of damage, from a natural disaster. I, too, as my Republican and Democratic colleagues have said, have voted time after time for relief from natural disasters.

I urge the Speaker to reconsider this unconscionable, inexplicable refusal to let us vote on disaster relief for the millions who are still suffering in New York, New Jersey, and Connecticut.

We provide lots of revenue for the United States of America. We're a donor State to the States who get a lot more Federal aid than we give to those in New Jersey and New York. We're due this.

But the question for the American people, Mr. Speaker, is: Why is the Speaker of the House doing this? What is going on in his caucus or in his mind, Mr. Speaker, that would say we're not going to allow a discussion and a vote on aid that will address $60 billion worth of damages to tens of millions of American citizens in the Northeast?

HURRICANE SANDY RELIEF

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

Mr. RICHMOND. Mr. Speaker, I'm from New Orleans, and we weren't affected by Sandy. But we were great beneficiaries of this body coming together after Katrina and Rita to help us in a time of our greatest need. And it's appalling that this House can't come together when we have so many Americans in need.

One of the mottos of our service is ''no man left behind.'' Well, tonight, Mr. Speaker, you are leaving millions of children, fathers, and mothers behind in the cold. And as we took one step closer to financial solvency and averted a national bankruptcy today, we just took one humongous leap towards a moral bankruptcy.

This House can't justify to ourselves, to our neighbors, to our pastors and to our priests that the actions we're taking today are right and that they follow in the motto of this great country.

Today is a very shameful day; but more than being shameful, the fact that we are not addressing the needs of the Sandy victims is not just shameful. It's sinful.

HURRICANE SANDY RELIEF

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

Mr. SMITH of New Jersey. Mr. Speaker, I do join my colleagues in asking that the Speaker reconsider. I want to thank Majority Leader ERIC CANTOR who has worked tirelessly through these many days right up to the last couple of minutes. Today, families lack housing, businesses are in shambles, and municipalities have been decimated; 346,000 housing units were damaged or destroyed in New Jersey with 22,000 units today uninhabitable. Approximately 100,000 new storm-related unemployment claims have been filed in New Jersey—100,000—and over 235,000 people have already registered with FEMA for individual assistance.

This is a dire crisis. People are hurting. I talk to people in my district who have been mal-affected, and they're looking to us for help, and they're looking for timely help. We need to pass this.

Please, Mr. Speaker, reconsider.

HURRICANE SANDY RELIEF

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

Mrs. LOWEY. Mr. Speaker, I truly feel betrayed this evening. I left this floor with an understanding that this bill was going to be brought to the floor.

One of Congress' most basic responsibilities is to help families, communities, and businesses recover. Yet Republicans refuse to act to help the victims of Sandy as expeditiously as we know we can.

We can pass this bill tomorrow with bipartisan support. Yet the Republicans will adjourn this session, allow this bill to be buried, and make sure that the people of our communities do not get the help that they need.

Disaster knows no boundaries. This body has acted with speed and compassion to help Americans throughout the country in disaster after disaster. Dysfunction, Mr. Speaker, in this Congress, shouldn't result in punishing victims of Sandy in New York, New Jersey, Connecticut, and Pennsylvania.

This is a sad day. I urge the majority to reconsider the decision to not put the supplemental on the floor, and I want to thank our leader, Mr. HOYER; our leader, Madam PELOSI; and all those who have been advocating for Sandy. We need to do this, and we need to do it before we adjourn.

□ 2340

HURRICANE SANDY RELIEF

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

Mr. GRIMM. It is with an extremely heavy heart that I stand here almost in disbelief and somewhat ashamed that I need to take to this floor.

What I'm thinking about are friends and neighbors that lost more than their homes, more than their worldly possessions, more than the businesses they've worked for their entire lives. They've lost family members. Now I have to go home and tell them their New Year's gift is that they're going to wait even longer for something they should have had over a month ago. It's inexcusable, and I am here tonight saying to myself for the first time that I'm not proud of the decision my team has made. It was the wrong decision.

I am going to be respectful and ask that the speaker reconsider his decision because it's not about politics. It's about human lives and human dignity, and I pray that he understands that.

HURRICANE SANDY RELIEF

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

Mr. RANGEL. I know there are many people watching us late this night that truly don't believe that the House of Representatives can turn their back on any Americans and any part of this great Nation. But, Mr. Speaker, maybe

you could help us by reminding the people that we have a switchboard down here. It's 202–225–3121.

It may not be able to do anything because the leadership just walked away without the courtesy of saying that they didn't have time to deal with the millions of people whose lives have been affected. Maybe, Mr. Speaker, if you can remind Americans who are just watching that maybe they should call and ask the Congress and ask the Speaker, Please, reconsider. We're going to be here tomorrow. We were told to be here tomorrow.

Whatever happened to make someone angry tonight, the people that are suffering as a result of this disaster, they're not responsible. Don't make them pay for it.

HURRICANE SANDY RELIEF

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

Mr. MEEHAN. Mr. Speaker, I rise not as a person from a State that was directly affected, because my State of Pennsylvania, while impacted, had no where near the devastation of that which I saw in New York, New Jersey, and parts of Connecticut.

In fact, I was in New York a week ago in an elevator and met a man who was telling me how happy he was that he finally had a chance to get out of the pickup truck that he had been sleeping in since the storm. He was hoping, for the first time, to get back to his home. His story is just one of hundreds of thousands through this devastated region.

We have stepped up for our neighbors in other parts of our country because these acts of nature are larger than any individual. We must be larger than that. Support the ability to give that support to those in this time of need.

HURRICANE SANDY RELIEF

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

Ms. PELOSI. Mr. Speaker, if you've ever had a natural disaster affect your area or if you have ever visited a natural disaster, be it in California, my home State, or on the east coast or in the Midwest, whether Iowa and the floods or Missouri in recent times, and spoke to and listened to the pain in the voices and saw the fright in the eyes of the people affected, you would wonder why we are not bringing this legislation to the floor. It isn't about a natural disaster; it's about a human experience.

When I was a very new Member of Congress in the late eighties, we were affected in California by the Loma Prieta earthquake. I bring that up because the very next day after the earthquake, the chairman of the Appropriations Committee, Mr. Jamie Whitten, came to the floor of the House without anyone going to him or asking him. He went to the floor of the House and said to the people of California, Congress will honor our responsibility to the American people. We will put forth what meets the needs of the people. We need to work together to get that done. It was such a comfort.

These were just words. It was such a comfort to the people just to hear that and to know that a chairman would act upon that. And for the past few weeks, I know that our colleagues from New York, New Jersey, Connecticut, some in Pennsylvania and other surrounding areas, have been assuring their constituents and the people of their areas that the Federal Government would be there for them. It is a social compact. It is the most important tie they have to us.

Again, if you could hear their personal stories you will know they'll never be made whole. The rug has been pulled out from under them in terms of their housing, their belongings, their pictures, their memories, the character of their neighborhoods. The rug has been pulled out, and now tonight, is this Congress, this House of Representatives, going to pull the rug out again from them legislatively?

Just as a reminder, the Senate of the United States, in a bipartisan fashion, passed a $60.4 billion assistance program for this natural disaster. It met the documented needs that were put forth by the people of the regions, by Governor Christie, by Governor Cuomo, by Governor Malloy, Governor Bloomberg, and so many others. So, documented need.

Again, it's not going to make everyone whole emotionally in their personal belongings and their memories and the rest, but it is a sign of respect that we cannot let what happened stand and that the resources will be there to try to return them to some sense of order and home and home life.

I don't know if any decision has been made. I hope not. I hope that as the leadership meets and considers a possible agenda for tomorrow, they would reconsider this because this goes deep into the hearts of people as they feel a sense of helplessness for something they had no responsibility for, a natural disaster.

Remember last year when we visited some of the places where homes were uprooted? It's earth, wind, and fire. When something like that happens, it's the wind, it's the water, it's the fire. It's every kind of thing assaulting people. Let's not be a part of that assault by putting doubts in their mind as to whether there is an appreciation for what they have lost, a respect for who they are, and honoring of our social compact that the government will be there when people are in need.

Again, I hearken back to Jamie Whitten. We never had a moment to fear that our needs would be met. Let's just make this night pass as if it never happened. Let's just replace the impression that is out there with the idea that tomorrow we will take up the Senate bill or take up the compromise that has been worked out to take this in two tranches. We cannot leave here doing nothing. That would be a disgrace.

□ 2350

HURRICANE SANDY RELIEF

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

Mr. PLATTS. As a retiring Member, I am proud to stand with my colleagues on both sides of the aisle from New Jersey, New York, and Pennsylvania to urge action on this important issue.

Over the past 2 years, I've often been frustrated by the actions of the Senate—or the inactions, I should say, of the Senate—where we would send bill after bill over there. Not that they would vote it down, but they just wouldn't vote. They wouldn't allow the will of the people to be expressed by a vote's being taken.

If we conclude this session of Congress at noon on Thursday of this week without voting on this important issue, we are denying the will of the people to be expressed. We're not allowing that to happen. I would contend of the will of the people of America that the one thing they're comfortable in spending their money on is in helping their fellow Americans, and there is great need in New Jersey, in New York and elsewhere.

We need to stand together, and I hope that we will come to the decision that it's never too late to do the right thing. The right thing is to allow the will of the people to be expressed, for this issue to be voted on and to let the Members express their opinions through their votes. I'm certain, if that's the case, if that happens, the will of the people will be to send the aid that is so badly needed.

HURRICANE SANDY RELIEF

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

Mr. PAYNE. I am very dismayed by what I have heard tonight. Citizens of this Nation—any of us—would think at a time of natural disaster they could depend on their Congress, their Nation, the people of this country. Many times, we have come to the aid of citizens throughout this Nation. Why not now? What is different now? New York, New Jersey, Connecticut, and parts of Pennsylvania have been devastated. My district not as much, but we still have issues there that need to be addressed.

Just the other day, I was on vacation with my children, and I got a call. There was a leak in the roof of my house. I did not realize there was about a 10-foot patch in my roof missing—from Sandy. I had the wherewithal to take care of it, but there are hundreds of thousands of residents in those States who need our help.

I was told by a Member of this body, who was laid to rest this year, that this was a great body to serve in. Please let me know that he was telling the truth.

HURRICANE SANDY RELIEF

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

Mr. DENT. My congressional district abuts the State of New Jersey. Hundreds of thousands of people in my congressional district were without power for some time. We were very much impacted, but what I noticed most during this terrible hurricane were all the New Jersey and New York license plates in my congressional district. We were sheltering many of the evacuees who were looking for friends and family and who were just looking to go to a place where they could be comfortable.

I think it would be very wise for leadership to reconsider the decision to adjourn the House before dealing with this legislation. Frankly, I'm not yet convinced that this legislation has adequately addressed some of the concerns we have in the Commonwealth of Pennsylvania, but I'm willing to work with everybody to make it right. In having witnessed what happened to our friends in New Jersey and New York, I think it's imperative that we stay here and address this issue. Obviously, all of us have places we'd like to be right now, perhaps, rather than right here, but it's important. Our friends are struggling and suffering, and I think we need to get the work done.

HURRICANE SANDY RELIEF

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

Mr. HOLT. E pluribus unum: one out of many.

We help each other. We always have. My district and many around were badly affected by one of the largest storms, by one of the most expensive storms, by one of the worst storms in history. There are thousands of people who are not going back to their homes. They deserve our help. I wish I could speak as articulately and in such a measured manner as our leader did and as others have, but I'm afraid my anger is going to get the better of me.

Some weeks ago, someone said to me, You know, you're not going to get help from the House of Representatives because these are blue States. They voted for a Democrat for President.

Now, I would like to think—and Mr. KING and Mr. LOBIONDO and Mr. SMITH and Governor Christie would like to think—that this is not a partisan matter, but I have to wonder what could be going on here. Why would we not help each other as this House has always done?

PERSONAL REFLECTION AND WISDOM FOR INCOMING CONGRESS

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

Mr. BILBRAY. I apologize to my colleagues for changing the subject for a moment, but this will be the last chance I'll be able to address the House.

Six and a half years ago, I had the privilege of coming to the House and standing here after a special election. I'd like to paraphrase, basically, what I said then: I come from the 50th District of California—a classic coastal community. After having been out of the Congress for 5 years, they returned me here to the House as the 50th District, it being that classic environmental community, recycled Congressmen when it came to my election. I would just ask that both sides understand what a great privilege it is to represent the 50th.

In leaving, I just want to say one thing: I hear that one of the major issues you're going to address when this new Congress comes in is the issue of immigration, and those of us in California understand that. The one place that Democrats and Republicans should be able to agree on, especially with the budget crisis, is: When are we going to stop the practice of people who are committing a crime by employing illegal immigrants?

Take the tax deduction away, and require that if a business wants to claim a business deduction for employing somebody that we make sure those employees are legal—just by requiring E-Verify.

Again, Mr. Speaker, I am going to miss a lot of faces around here in Washington, but as a San Diegan, let me assure you that I will not miss the weather.

God bless and thank you.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 31, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 6587. To designate the facility of the United States Postal Service located at 225 Simi Village Drive in Simi Valley, California, as the ''Postal Inspector Terry Asbury Post Office Building''

H.R. 6379. To designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the ''Representative Curtis B. Inabinett, Sr. Post Office''

H.R. 3892. To designate the facility of the United States Postal Service located at 8771 Auburn Folsom Road in Roseville, California, as the ''Lance Corporal Victor A. Dew Post Office''

H.R. 3869. To designate the facility of the United States Postal Service located at 600 East Capitol Avenue in Little Rock, Arkansas, as the ''Sidney 'Sid' Sanders McMath Post Office Building''

H.R. 2338. To designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the ''Harry T. and Harriette Moore Post Office''

H.R. 6260. To designate the facility of the United States Postal Service located at 211 Hope Street in Mountain View, California, as the ''Lieutenant Kenneth M. Ballard Memorial Post Office''

H.R. 4389. To designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the ''Cecil E. Bolt Post Office''

H.R. 1339. To designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States.

H.R. 5859. To repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting

H.R. 1845. To provide a demonstration project providing Medicare coverage for in-home administration of intravenous immune globulin (IVIG) and to amend the title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims

H.R. 4053. To intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending

H.R. 6671. To amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet

ADJOURNMENT

Mr. BILBRAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 2, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

9000. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Home Mortgage Disclosure (Regulation C): Adjustment To Asset-Size Exemption Threshold [Docket No.: CFPB-2012-0049] received December 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9001. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 35 [Docket No.: 1206013412-2517-02] (RIN: 0648-BB97) received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9002. A letter from the Acting Deputy Director, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Group Fishery of the South Atlantic; 2012 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XC380) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9003. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XC373) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9004. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; Reopening of the Commercial Harvest of Red Snapper and Gray Triggerfish in the South Atlantic [Docket No.: 120709225-2365-01 and 100812345-2142-03] (RIN: 0648-XC367) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9005. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2012 Commercial Accountability Measure and Closure for South Atlantic Blue Runner [Docket No.: 100812345-2142-03] (RIN: 0648-XC310) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9006. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Other Flatfish, Other Rockfish, Pacific Ocean Perch, Sculpin, and Squid in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC377) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9007. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Surfclam and Ocean Quahog Fisheries; 2013 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit [Docket No.: 101013504-0610-02] (RIN: 0648-XC353) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9008. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XC340) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9009. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; White Hake Trimester Total Allowable Catch Area Closure for the Common Pool Fishery [Docket No.: 120109034-2171-01] (RIN: 0648-XC369) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9010. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — 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) [Docket No.: 050613158-5262-03] (RIN: 0648-BB59) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9011. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — 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 [Docket No.: 120718253-2644-02] (RIN: 0648-BC30) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

9012. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Small Business Bond Reduction [Docket No.: TTB-2012-0006; T.D. TTB-109; Re: Notice No. 131] (RIN: 1513-AB94) received December 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9013. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Payout Requirement for Type III Supporting Organizations That Are Not Functionally Integrated [TD 9605] (RIN: 1545-BG31; 1545-BL38) received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9014. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Voluntary Classification Settlement Program [Announcement 2012-45] received December 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9015. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Voluntary Classification Settlement Program-Temporary Eligibility Expansion [Announcement 2012-46] received December 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9016. A letter from the Chief, Boarder Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Opening of Boquillas Boarder Crossing and Update to the Class B Port of Entry Description [Docket No.: USCBP-2011-0032] (RIN: 1651-AA90) received December 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Homeland Security and the Judiciary.

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. ISSA: Committee on Oversight and Government Reform. Activities of the House Committee on Oversight and Government Reform, One Hundred and Twelfth Congress, Second Session (Rept. 112–740). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREIER: Committee on Rules. House Resolution 844. Resolution providing for consideration of the Senate amendments to the bill (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, and for other purposes (Rept. 112–741). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FITZPATRICK (for himself, Mrs. BACHMANN, Mr. FLORES, Mr. HARPER, Mr. BILIRAKIS, Mr. GRIFFITH of Virginia, Mr. MULVANEY, Mr. CULBERSON, Mrs. BLACK, Mr. MCKINLEY, Mr. POE of Texas, Mr. BARLETTA, Mr. GIBBS, Mr. JONES, Mr. BRADY of Texas, Mr. KELLY, Mr. SOUTHERLAND, Mr. FLEISCHMANN, Mr. NUGENT, Mr. HENSARLING, and Mr. WESTMORELAND):

H.R. 6726. A bill to prevent the 2013 pay adjustment for Members of Congress and persons holding other offices or positions in the Federal Government from being made; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, 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. considered and passed.

By Mr. CAMP (for himself, Mr. BRADY of Texas, Mr. LEVIN, and Mr. MCDERMOTT):

H.R. 6727. A bill to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes; to the Committee on Ways and Means.

By Mr. DENHAM (for himself, Mr. MICA, and Mr. RAHALL):

H.R. 6728. A bill to reauthorize the programs and activities of the Federal Emergency Management Agency, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CULBERSON (for himself, Mr. HULTGREN, Mr. BARTLETT, Mr. MCKINLEY, Mr. BILBRAY, Mr. LANCE, Mr. BARLETTA, Mr. OLSON, Mr. THOMPSON of Pennsylvania, and Mr. CHABOT):

H.R. 6729. A bill to save at least $10,000,000,000 by consolidating some duplicative and overlapping Government programs; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, 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 Ms. ROS-LEHTINEN:

H. Con. Res. 147. Concurrent resolution waiving the requirement that measures enrolled during the remainder of the One Hundred Twelfth Congress be printed on parchment; considered and agreed to.

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. FITZPATRICK:

H.R. 6726.

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 Mr. CAMP:

H.R. 6727.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DENHAM:

H.R. 6728.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and Article I, Section 10, Clause 3 (relating to interstate compacts).

By Mr. CULBERSON:

H.R. 6729.

Congress has the power to enact this legislation pursuant to the following:

US Constitution Article I, Section 9, Clause 7

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6693: Mr. FARR.

H.R. 6721: Mr. LANKFORD, Mr. LOBIONDO, Mr. THOMPSON of Pennsylvania, Mr. MULVANEY, Mr. CULBERSON, Mr. STIVERS, Mr. COFFMAN of Colorado, Mr. NUGENT, and Mr. WESTMORELAND.

H.R. 6722: Mr. BARTLETT and Mr. CUMMINGS.

PETITIONS, ETC.

Under clause 3 of rule XII,

66. The SPEAKER presented a petition of Advisory Neighborhood Commission, Washington, DC, relative to resolution urging the Speaker to adopt a bipartisan and balanced approach to deficit reduction; which was referred jointly to the Committees on Oversight and Government Reform and Ways and Means.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, TUESDAY, JANUARY 1, 2013 No. 172

Senate

The Senate met at 2 p.m. and was called to order by the Honorable BARBARA BOXER, a Senator from the State of California.

PRAYER

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

Let us pray.

Almighty God, source of strength for stressed-out emotions and strained minds, we don't pray to inform You of things You don't know or to urge You from a reluctance to help us. Lord, we pray to obey Your command, to allow ourselves to action, to mitigate anxiety, to exercise faith, and to embrace Your promises.

Thank You for using our Senators in the early morning hours of this new year to accomplish Your purposes. May the sparks from their bipartisan cooperation ignite flames of unity that will illuminate the inevitable darkness to come. Lord, give our lawmakers the resiliency, resourcefulness, and resolve to accomplish Your will on Earth even as it is done in Heaven.

We pray in Your merciful Name.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable BARBARA BOXER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 1, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BARBARA BOXER, a Senator from the State of California, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

Mr. REID. It is so good to see the Presiding Officer presiding.

SCHEDULE

Mr. REID. After leader remarks, the Senate will be in a period of morning business, with Senators allowed to speak for up to 10 minutes each.

We are awaiting the House to do something on the cliff, we hope. We have Sandy to deal with, and we are waiting on that. We have a series of executive nominations that we need to clear today.

MEASURE PLACED ON THE CALENDAR—H.R. 459

Mr. REID. Madam President, I am told H.R. 459 is at the desk and due for a second reading.

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

The legislative clerk read as follows:

A bill (H.R. 459) to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

Mr. REID. Madam President, in order to place the bill on the calendar under the provisions of rule XIV, I object to any further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Mr. REID. Madam President, what is the business of the day?

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will 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.

Mr. REID. Madam President, I note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. I ask to speak in morning business.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

THE FISCAL CLIFF

Mr. DURBIN. Madam President, it was after 2 a.m. this morning when the Senate finally passed this historic measure which puts the fiscal cliff behind us, if—if—the House of Representatives follows through and passes it as well. I hope they take it up today or as quickly as possible and pass it with the same bipartisan spirit and vote we saw on the floor of the Senate last night. If

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

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I am not mistaken, the final vote was 89 to 8, which was a significant bipartisan vote.

It was a moment of high emotion in the Senate for several reasons. First, on a personal level, many of our colleagues were casting their final vote as Senators. Those who are leaving the Senate gathered in the well and we wished them the best. It was also a moment of high emotion because I cannot think of another vote in recent times the American people followed so closely. I couldn't sit down on an airplane or at a restaurant in Chicago without having somebody come up to me and say: What is going to happen? They were very concerned, as they should have been, because the so-called fiscal cliff is a threat to our economic recovery and one that, I believe, finally mobilized the majority necessary to pass this measure in the Senate on a bipartisan basis.

The President showed extraordinary leadership on this matter. I know he was personally invested in it. He thought about it long and hard. He left his family vacation, which he looks forward to, and even more so after the campaign, to come back to Washington and try to put together a solution to this fiscal crisis. He was successful in the Senate, and I hope he will be in the House as well.

The President also had the able efforts of his Vice President, JOE BIDEN, to help in this effort. Last night, Vice President BIDEN came back to his home, the Senate, where he served for 36 years, and spoke to the Senate Democrats about the importance of this vote. It was for almost an hour and a half on New Year's Eve, somewhat surreal, as we gathered—some away from their spouses for the first time in decades—for this important vote, and for an hour and a half we spoke and asked questions of the Vice President and expressed our feelings. We could sense during the course of that meeting an emerging consensus among the Democratic Senators. In the end, all but three of the Democratic Senators voted in favor of this measure.

There are parts of the bill many of us disagree with even today, but we understand it is the nature of compromise that part of what we have to accept may not be popular, but we have to be willing to compromise to solve problems. When we look at the issues before us, I think we made some significant progress. The most significant progress was to protect 98 percent of American families from any tax increase. If the Senate measure is approved in the House, we will see 98 percent of American families spared a tax increase today.

The vast majority of working families, middle-income families, struggle. They live paycheck to paycheck. The Pew Institute did a survey within the last year or two asking working families a very basic question: If an emergency came up, could you find $2,000, borrow or find $2,000 to meet an emergency need? Two thousand dollars is not an extraordinary amount of money until we consider that a simple trip to the emergency room or urgent care clinic could result in a $2,000 medical bill. They asked working families, and barely half of American families had access to $2,000. That tells us how close to the edge so many families live.

Had we not acted on this measure early this morning, these middle-income families would have faced an increase in their taxes of more than $2,000 a year. That is not only in Illinois and California but across the Nation. So we had to come together to protect those families.

That was the starting point for the President's position on this issue and the starting point for the Democrats. We passed, 6 months ago in this Chamber, a measure which would have protected these families. We sent it to the House. They never called it, and we had to renew our efforts last night, and successfully we were able to achieve that by the end of the evening.

We had to bargain, as usual, in the political atmosphere and had to raise the exemption from $250,000 of family income to $450,000 of family income. But, in so doing, we have protected working families from this tax increase which otherwise would have taken place. These families need the resources to not only meet the bills they face each month but to try to save a little bit for the future, for their families, and for some of their own dreams about a better life.

So that was the important first step in this package that was passed early this morning.

The other thing that was part of it was a 5-year extension—I wish it had been permanent—but a 5-year extension on the Recovery Act expansion of the earned-income tax credit. The earned-income tax credit is a measure passed during the Reagan administration which said we would give working families a tax benefit for working: the earned-income tax credit. That is probably, as President Reagan described it, the best way to eliminate and reduce poverty in our Nation. So the Recovery Act expansion of the earned-income tax credit has been extended for 5 years.

The child tax credit, which does exactly what it says—it says to families with children: We will give you a tax credit to help you raise those children—that, too, was renewed for another 5 years at the enhanced Recovery Act level. And a provision in the law, which was added by Senator SCHUMER of New York years ago, which helps working families to pay for college education, that, too, was included in this measure.

So from a working family perspective, there were many good and important elements that were included in this measure.

We also considered a lot of other tax measures, some of which I liked and some I did not like. One of them in particular, the estate tax, is a tax that is widely misunderstood. This is a tax which applies to a very small fraction of a percentage of American families that when the breadwinner passes away have a valuable estate that can be subject to Federal taxation. It is a very small percentage. Some 3 percent might be affected by an estate tax. At the higher levels that we have discussed in our debate on this issue, less than 1 percent of estates end up paying any tax whatsoever to the Federal Government.

The Republicans insisted on a provision which Senator KYL of Arizona had been championing for years, which would raise the exemption for estates to over $5 million, which means a $5.1 million estate would not be subject to any taxation, and over that amount would be subject to a 40-percent tax responsibility.

I personally think it should have been a lower figure. We are dealing with the wealthiest people in America, again, and many of them make plans, estate planning, to avoid this tax throughout their lives, and it turns out that fewer than one-half of 1 percent of those who use this benefit are actually small businesses or farmers. Most of them are very wealthy people who have done well.

I can think of a friend of mine in central Illinois. Her father was a farmer and started with very modest means, bought some land, and over time the land has mushroomed in value to the point where his estate is worth multimillions of dollars. She will have an estate that is huge far beyond what she could imagine, and she would be subject to this tax. She is not a farmer. I do not think she has ever been on a tractor, unless she did as a child, and it is an asset which would be subject to the estate tax.

So we have reached an agreement, albeit a reluctant agreement, to establish this estate tax exemption of $5.1 million, subject to a tax beyond that of 40 percent.

There were many other provisions related to the Tax Code, some of them very esoteric, but that was an important starting point, protecting working families, protecting the deductions and credits they need the most, and making certain we have revenue coming in from this. We anticipate some $600 billion in new revenue coming in to help reduce our deficit as a result of this.

We also have something in law which the Acting President pro tempore and I talked about for a moment: the alternative minimum tax. There was a time when they took a look at America and said: How can this possibly be that some of the wealthiest people pay no taxes? So we established something called an alternative minimum tax, which said: If under the regular Tax Code you escape all tax liability, you are going to be subject to the alternative minimum tax, where you will pay something.

Well, it was not a bad idea 30 or 40 years ago when the debate started. But

because we did not index the income that was associated with it, over the years, this alternative minimum tax hit not only the wealthy, but it started hitting those in middle-income categories. So each year we had to kind of postpone the impact of this tax on middle-income families—let's say, families in the $100,000 to $200,000 range. This has been vexing us for decades.

Last night, in the Senate—or this morning, in the Senate—with the passage of this legislation, we have dealt with the problem once and for all. We have a permanent fix on the alternative minimum tax. It is something I am sure most American families are probably puzzled over, but it is an important element in getting this behind us which was critically important as well.

We also managed to extend the doc fix. What is that all about? Over 10 years ago, we said we are going to save some money in Medicare. We are just going to take a little percentage cut each year in how much we would pay doctors and hospitals who treat Medicare patients; therefore, we will reduce the cost of Medicare and be done with it.

Well, guess what. We had a great idea, but when it came to imposing the law, the doctors and hospitals pushed back and said: Wait a minute. We need this compensation for our care of Medicare patients. Therefore, we postponed it. Every year we postponed it, what we were supposed to save we had to come up with from other sources. The so-called doc fix, SGR, is another one like the alternative minimum tax, which has haunted us as we have done these budgets year in and year out. We did not solve this problem permanently.

We solved it for 1 year. Otherwise, what would have happened is, starting today, doctors and hospitals would have seen a reduction of over 25 percent in their government reimbursement for treating patients. The net result would have been, in Springfield and Chicago, IL, and across the Nation—in Ohio and California—many doctors and hospitals would have said: We can no longer afford to treat these patients, and the people—the 50 million-plus Americans who depend on Medicare—would have had fewer choices for treatment. So we have resolved that issue. In the early morning hours, with this vote, for 1 year we have solved that problem.

Another thing we have done, which is critically important, is extend unemployment benefits for 1 year. Two million Americans—2 million—would have lost their unemployment benefits this morning as a result of this so-called fiscal cliff if we had not taken action.

I can tell you that it means an awful lot in my State of Illinois. As I mentioned, 2 million on a nationwide basis, but we also have 88,000 in my own State who face the same basic problem. These are people who have been out of work for a long time. Some of them are in school. Some are taking courses for retraining. All are trying to keep their family together, not lose their home while they are unemployed.

So the extension of these unemployment benefits was the President's second highest priority, after protecting middle-income Americans, and it was included in this package. It is an important element.

One last point. When you ask the Congressional Budget Office: If you had to spend one tax dollar to help the economy, where would you spend it, they will tell you over and over again, it is clear: Unemployment benefits. The $1 you spend on unemployment benefits goes directly back into the economy. These people are not salting it away for a rainy day. They are not investing it. They are spending it on goods and services to get by—utility bills and rent and mortgage payments and food and clothing, the basics of life.

As they spend it back into the economy, it is respent. So each $1 has kind of a multiplier effect behind it of $1.60, ultimately, into the economy. So not only is it the humane and right thing to do for those who are out of work and struggling, but it is also a good thing for boosting economic growth. That is an important part.

One of the real disappointments last night—and I have to tell you, it really is sad that it has come to this—relates to the farm bill. We have a chairman of the Agriculture Committee in the Senate, Senator DEBBIE STABENOW of Michigan. Past chairmen who are serving here all acknowledge, as we do, she has done such an extraordinary job. Her leadership in constructing a farm bill this year was masterful.

I have been around Congress for 30 years—the House and Senate. You can pick out the real legislators, and DEBBIE STABENOW is a real legislator. She sat down and crafted a farm bill.

Now, you may not think of Michigan as a farm State; it is. And she looked at this bill in terms of its entirety. In its entirety, the farm bill is about more than farmers and ranchers. It is also about nutrition and food programs and school lunch and food stamps. They are all included in this bill.

She tackled it with the ranking Republican member, PAT ROBERTS of Kansas, and came up with an amazing work product. She had over 63 votes in the Senate for this farm bill—bipartisan support for this farm bill.

Let me tell you what it did. We not only ended up with a bill that had the support of every major farm organization, which is no mean feat, it saved over $23 billion in deficit reduction in 5 years. She went after some of the indefensible programs, such as the direct payment program to farmers, which they readily acknowledged needed to go away, took those programs aside and put the money to deficit reduction.

She went to the nutrition programs, which are critically important in a struggling economy, with families facing income inequality, and she protected those. Those are important to me, and I have worked with her, and I think we came up with an honest, balanced approach when it came to nutrition programs.

We passed the bill. We passed it months ago in the Senate, and we sent it to the House of Representatives. They not only could not pass their own farm bill—never did—but they would not even consider calling the bipartisan Senate bill. The farm organizations were begging them: Call it. We need a 5-year program on farming. They would not do it. They never did it.

So there was a lot of frustration over here that we did good work on a bill, the House could not put a bill on the floor, and would not take up our bill.

The thing that brought it together, incidentally, at the last minute—why it was included in this emergency package—it turns out that under the law, if we do not pass a new farm bill, we revert to the 1949 farm bill. Talk about going back in history and picking up a law which has little application to today's world, that is what happens. One particular issue jumped off the page: dairy support.

Now, last night I bid farewell to Senator HERB KOHL of Wisconsin. I am going to miss him more than most people can imagine because HERB KOHL spent the time and understood America's dairy program.

Madam President, I confess, I do not understand this program. Vaguely, yes; but if it was on the final, I would flunk. So I used to go, on dairy issues, to Senator KOHL. Wisconsin dairy farmers and Illinois dairy farmers always saw eye to eye.

I said: HERB, you are my dairy expert. You tell me. You are my adviser. Well, HERB is retiring. I will need a new adviser. But we found out that if we had not passed a new farm bill, and reverted to the 1949 dairy program, the price of milk would double to $10 a gallon. That, to me, was unacceptable. It was unacceptable to the White House. As a result, we had to come through with an emergency measure to avoid that possibility.

We should have taken the bipartisan Senate farm bill. Senator STABENOW begged for us to do this, could not get that into the negotiation.

I will say one thing that really disappointed me last night. At the last minute, they had one aspect of the dairy program they needed to take care of. It costs $60 million to $100 million.

We needed to find a pay-for and, unfortunately, the other side of the aisle insisted that the pay-for for this dairy support come from the Federal Food Stamp Program. That is just—that is sad. We had so much waste in our agriculture programs that we identified in our farm bill. The fact that they would turn to the Federal Food Stamp Program, the SNAP program, to come up with this money, to me, is difficult to understand, explain or defend. I am saddened by that. I guarantee we will return to that.

What we did in the early morning hours is important for us. It isn't the end of the story. There is more we will face. In 60 days, if we don't take care, we are going to face another cliff of our own making because in 60 days three things come together.

The debt ceiling, what is the debt ceiling? America's mortgage. When we spend money for a war, for the Department of Agriculture, whatever it happens to be, ultimately, we borrow 40 cents for every $1 we spend. So every President is forced to renew the mortgage, the debt ceiling of the United States.

I think of President Ronald Reagan. It was done over and over again many times without even a record vote. But now it has become a political hot potato, and in a matter of 60 days or so we will be facing another need to renew America's mortgage. In other words, this is the full faith and credit of the U.S. Government, and that is going to be contentious, a matter of debate.

At the same time, the continuing resolution, our temporary spending bill, expires. At the same time, the sequestration kicks in, which is automatic spending cuts. So we will have, in 60 days, if the House follows the Senate lead on the fiscal cliff, another challenge. Let us hope we have learned a lesson from this one.

The American people are sick and tired of incompetence, political posturing, and failure of Congress to come together on a bipartisan basis to solve a problem and they want us to get the problem solved and get this Nation moving forward.

In the early morning hours in the Senate, we finally achieved it. It should have been done long ago, I understand, but we achieved it. Now I hope the House will do the same, follow the Senate example, and 60 days from now we can approach this problem in a sober, honest, mature way instead of a partisan fashion. That is what the American people expect.

I took a look, incidentally, at the specific impact of this morning's vote on my State of Illinois. For the record, over 5 million Illinois families will be spared a tax increase under the agreement we passed in the early morning hours. Many of them, almost all of them, the working families whom I described earlier, without an agreement, the average family in Illinois would have faced an increase in taxes of more than $2,000.

Half a million families in my State will continue to receive college tuition tax credits, making it easier to send their kids to college. This could be as much as $1,000 of assistance each year, which I am sure is a helping hand.

Also, 1.5 million Illinois families raising children will continue to benefit from the child tax credit, a yearly savings of about $1,000, on average, for each of these Illinois families with kids. Working families in Illinois will continue to receive the earned-income tax credit. Over 230,000 Illinois families benefited from that tax credit last year.

More than 1 million Illinois taxpayers are protected from an increase in taxes under the alternative minimum tax, which I mentioned earlier. Thousands of Illinois children will continue to have access to school readiness programs such as Head Start. Low-income families will continue to benefit from low-income home energy programs, LIHEAP.

The deal, the agreement, protects funding for nutrition assistance for women, infants, and children and prenatal care, so we can have more healthy babies and healthy moms. The elderly, disabled, low-income families and veterans will continue to receive housing assistance. Over 88,000 Illinoisans will continue to receive the unemployment benefits I mentioned earlier, and Illinois businesses will benefit from more than $8.5 billion in consumer spending by middle-class families, families spending more on goods and services at a time when we desperately need this in our economy.

Let me say one last word. I have been involved in this deficit discussion for a long period of time. This is not a deficit-reduction measure, period. It does reduce it in some aspects, but the arcane scoring by the Congressional Budget Office will not give us any credit for reducing the deficit. We do have more revenue coming in toward deficit reduction, but some of the other measures I mentioned would be scored as expenditures.

Having said that, we still have a deficit issue. We still have a deficit problem.

What we tried to establish this morning in this vote is revenue has to be part of every solution on deficit reduction. The other side of the aisle reluctantly, after years of resisting, came to our side in the early morning hours. That is No. 1.

No. 2, we need to take an honest look at entitlements. Here are what the facts are. Social Security untouched, unamended, unchanged will make every promised payment for 20 years. We can't say that about any other Federal program, 20 years of payments, with cost-of-living adjustments every single year. But on the 21st year there will be a dropoff of 30 percent in terms of Social Security benefits. We have 20 years. We can wait. We can wait 5, 10 or 15 years to do something or we can do it soon, maybe even this year, 2013. That is what I would like to see.

I am preparing legislation to be introduced shortly, which will call for the creation of a commission with a very simple assignment, come up with a plan for 75-year solvency of Social Security. When they have it, and it has been certified to be a valid plan, report it to Congress to be considered, without debate—I shouldn't say without debate—without filibuster, without delay. When it comes to the floor, any Member who can offer a substitute amendment that achieves 75 years' solvency may also call their measure at the same time. Let us have a chance to have this debate and make sure we have solvency for Social Security that will affect not only all our lives but the lives of our children and beyond. That, to me, is the responsible thing to do.

Medicare is much tougher. Medicare goes broke in 12 years—12 years. Why? Because, lo and behold, today, 10,000 Americans reached the age of 65, and 10,000 reached that age yesterday and will tomorrow and for the next 10 or 15 years. The baby boomers have arrived.

We knew it was coming. But as they show up, their demands for services that they have paid for and invested in throughout their working lives are going to continue to grow. Those people who say: There is too much government spending; we have to stop the government spending, I want to ask them: So are you going to say to the millions of Americans who paid into Social Security for a lifetime, paid into Medicare for a lifetime, that we are going to walk away from our obligations? Of course not.

What we have to do on Medicare is find a way to meet this growing population with demands and the mushrooming costs of health care. We can do it. There are ways to save money, humane ways to save money and protect the integrity and the future of Social Security, Medicare, and Medicaid. I think the President's ObamaCare, as it has been characterized, or Affordable Care Act, is a step in that direction, but we need to do more when it comes to Medicare.

I see my friend and colleague from Ohio on the floor. I yield to him and thank him for his friendship and his leadership on these important issues.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. I thank the senior Senator from Illinois, the assistant majority leader.

I concur in the remarks Senator DURBIN just made, especially about the vote last night. The primary thing we did was we spared that $2,000 tax increase for so many families in California, Illinois, Ohio, and across this country. I remember the Presiding Officer telling a group of us last night how many hundreds of thousands of Californians would have lost their unemployment insurance if we had not acted last night the way we did.

My fundamental criteria on voting on this issue and voting for this issue was we were able successfully to stop cuts in Social Security to pay for some of this plan or raising the retirement age for Medicare or not doing the unemployment insurance in the way we did. So all those were victories last night.

I also concur with Senator DURBIN that while adding 5 years to the earned-income tax credit, locking in one of the best poverty-fighting programs to be begun by Ronald Reagan, suggested, I believe, by Milton Friedman—supported by both parties for

many years—we are not seeing that the way we used to with the earned-income tax credit. It rewards families that work, a family making $30,000 a year. This is not a whole lot more than the minimum wage, $3 or $4 more, maybe, than the minimum wage but not a livable wage, and they get significant tax credits. This is sort of what Friedman called a negative income tax, and this works so well for encouraging work in this country.

We did that only for 5 years, while bringing the estate tax up to a $5 million exemption, which I thought was far too generous because it is only paid by far fewer than 1 percent of the American people. That was made permanent while the earned-income tax credit was only made for 5 years.

The tax credit for college students, for families, was so important in this legislation too. Much of what we did was simply ask the wealthy to pay a little bit more, to bring tax rates, as the Presiding Officer knows, back to the levels of the 1990s.

I think it is important to put this in a little historical perspective. In the 1990s, tax rates were a little bit higher for upper income people. We saw in those 8 years in the 1990s, from 1993 to 2000—the Presiding Officer's first year in the Senate, 1993, my first year in the House—we saw incredible economic growth. Wages went up for the average American, average Ohioan, average Californian, average American. We saw 21 million private sector net jobs created, and President Clinton left office with the largest budget surplus in American history.

We know what happened the next 8 years, where we saw very little economic growth, only about 1 million—being generous—only about 1 million private sector net jobs created in those 8 years.

In what hit my State particularly hard, we saw a real decline in manufacturing. From 2000 to 2010, we lost, in this country, net, 5 million manufacturing jobs—manufacturing jobs. Maybe people who dress like this around here don't think much about that. I know the Presiding Officer does because her State is the No. 1 manufacturing State in the country.

It is especially important in my State. We lost hundreds of thousands of manufacturing jobs. While we lost 5 million manufacturing jobs nationally, tens of thousands—I believe 60,000 is the number—of manufacturing plants closed in those 10 years.

But the good news is that since the auto rescue, we have seen what is beginning to be significant manufacturing job growth, some 500,000 new manufacturing jobs since 2010. Almost every month—not quite every month but almost every month—an increase in manufacturing jobs. We know what a manufacturing job does in a community. For workers earning $20 or $25 an hour, that worker is spending money in that community. That worker is buying things, buying a home, buying a car, putting people to work creating jobs at restaurants and creating jobs at the hardware store. Those workers are paying property taxes to hire teachers and paying the local city income tax to hire firefighters and police. So we know what manufacturing jobs do as we see that increase.

In fact, since the auto rescue, in my State, the unemployment rate went from 10.6 percent soon after the auto rescue sort of took effect, if you will, and now the unemployment rate is under 7 percent. It is not what it ought to be, but I think that is what last night's vote, ultimately, was a recognition of; that the people here with this 89-to-8 vote—89 votes yes, 8 votes no, with strong bipartisan support, which I hope we see this afternoon in the House—I think it was a recognition that we don't grow the economy by tax cuts for the rich and trickle-down economics. We tried that in the last decade. It didn't work. We understand, historical evidence shows—and I think we recognized it last night—by focusing on the middle class, tax cuts for the middle class, investments in schools, and investments in infrastructure and unemployment insurance for people who have lost their job, keeping Social Security and Medicare strong, investing in college credits, and rewarding work through the earned-income tax credit, we grow the economy from the middle class out. That succeeded in the 1990s. There were 20 million-plus new manufacturing jobs. Trickle down didn't do so well the 10 years after.

Now we are coming back and recognizing, with this overwhelming vote last night, both parties are recognizing we grow the economy from the middle class out.

I think that is why last night was a huge victory, surely, politically for the President. But what it was a victory for, truly, was a victory for the middle class and a victory for those who want to join, aspire to the middle class, and a victory for this country, for our economy, for our economic growth and for our future.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

RULES CHANGES

Mr. ENZI. Madam President, we are busy patting ourselves on the back for avoiding the fiscal cliff. I don't know how much congratulations we ought to have for that.

Yesterday, I was buying some groceries, and the guy at the checkout stand had no idea who I was and shouldn't have. He said: What is going on, on Capitol Hill? What are those people doing? We ought to fire everybody in Congress. They can't get their work done. We have to get our work done. They don't have to get their work done.

He made a good point. I am telling you, it is down to the level of grocery store checkout people—and I suspect different levels than that, different occupations than that. Americans, because they are kind of tuned in to the news media, which is kind of an information media or an entertainment media, built this fiscal cliff so it appeared to be Niagara Falls with money running over it. It is more of a gradual slope. But we have to stop the downward slope we are on. It is important we do that. And this is a body that can do that. Congress can do that.

We conduct a war of words around here—of this protecting the ''rich''—and it sticks. You know, I don't know of anybody who is trying to protect the rich. The problem comes with the definition of ''rich,'' and that is a hard one to explain. Any attempt that looks like that, and we go back to the sticky word of ''rich,'' whom nobody is trying to protect.

I used to be in business. I used to be one of those small businessmen, and I knew that at the end of the year, the business would show a profit. Now, unfortunately, we couldn't take the money out of the business if we were going to continue to grow the business, if we were going to bring on more people. It also meant we needed to have more product, and that meant we had to have more investment in the business. So the money we could have taken out that showed as ''profit'' actually went back into the business.

We kept saying: How can we have so little money when we make so much money?

Well, that is the position a lot of the small business men and women are in around this country. They are having to put all their money back into their businesses. And I understand when people say don't protect the rich—those making $250,000 or $400,000 or $450,000, whatever the amount comes out to be—but the person working in that business, probably making $30,000, $40,000, $50,000, or $60,000, says: If all I am making is that amount and they are making $250,000, we really ought to tax them. You know, it is a fairness issue. But when it gets down to the point of what they actually get to take out, what their take-home is, it is a lot different. They look really good on paper, they look rich on paper, but the money they get to take out is significantly less than that, and that is where the divide came in when trying to solve this problem. Now, could it have been solved? Yes, it could have been solved.

What we need to do around this institution is to start legislating and stop deal-making. We are a legislative body. You can't have 100 people involved in a deal, and consequently we don't. We have the group of 2, as in the case of this one, or a group of 4 or 6 or 9 or maybe as many as 12 getting together and putting together some kind of comprehensive package to put before this body, and those who aren't in the group are really kind of insulted by it. They do not make a big deal out of it because that has become the tradition, but that is not how it is supposed to work.

I have been there. I have gotten to legislate. It is one of the privileges of this country. The main person with whom I legislated was Senator Kennedy. Senator Kennedy was considered one of the most liberal people in the Senate, and I have always been considered one of the most conservative people in the Senate, but we were able to work together to get 38 bills out of committee and through this body, and the worst vote we ever got was 15 votes against. How did we do that? Well, we didn't try to solve the world's problems all in one bill. We took an issue at a time, and we found the common ground. We found what we could agree on, and that was usually about 80 percent of the whole issue. That is pretty good.

We worked on issues that had been around here 10 or 12 or 15 years without passing, having come to the floor numerous times, and mainly what we did was we would sit down with the stakeholders, who were intensely interested in the bill, who had been lobbying on that bill for years and years, and we would say to them: This is what we can get. This is what we have to leave out.

It wasn't compromise. Compromise is when you give up half of what you believe in, I give up half of what I believe in, and we wind up with something that neither of us believes in. But common ground happens. There is common ground on every one of these issues, and that is what we have to find—the common ground.

So we would meet with these stakeholders, and they would say: No, you are leaving out the most important part of this whole bill. This is what we really want.

If it was Senator Kennedy's constituency, he would have to make the comment, and if it was mine, I would have to make the comment: How long have you been working on this?

They would say: We have been working on this for 10 years.

I would say: How much of it have you gotten?

Then they would say: Well, nothing.

I would say: Here is what we can get for you.

And I would outline it again, and I would say: Isn't that better than nothing?

The light would come on, and they would say: Oh, that would be good progress.

Then they would quit pushing against us, and they would get together with us.

It is amazing sometimes that the advocates for a bill are really sometimes the ones who are stopping the bill from happening, and it is over the issues—that 10 percent on each side, which amounts to 20 percent—that we are not going to get resolved. There are some basic values on both sides, and they are important to both sides and they are both right, but they are not common ground.

But this is where we have to go. We have to get to common ground again, and the way we do that is by legislating. We put out a bill that is 80 percent of the whole issue, not 100 percent of the whole issue because that is comprehensive. We need to put out the 80 percent both sides agree on and then allow amendments on it. That is something we haven't been doing around here for a long time.

First of all, a bill needs to go to committee. The committee is where the people intensely interested in that particular bill preside and work and exert their efforts. That is where they want to concentrate.

When a bill comes to committee, you can have maybe 200 or 300 amendments in committee, and the chairman and the ranking member—that is the name we give to the person with the most seniority in the minority—can sit down together and sort through these amendments. Out of the 200, there are probably 100 that nobody in their right mind would really offer. Out of the remaining ones, you will find there are people on both sides who have very similar ideas on how to solve that problem, so you get those people to sit down together and take a look at all the amendments that are similar to that one and see if they can't come up with a single amendment that will solve that part of the problem. And you know what. They do. Now, it might not be 100 percent of what they want. It is probably, again, only 80 percent of what they want. But it is something on which they can all agree.

Here is the really magnificent part that helps a bill get through committee: They can all say: It was my idea. They can all go to the media and put out the release that says they solved this particular problem, and that helps a lot around here.

So committee work is extremely important, but when a bill comes out of committee, it is not perfect. When Senator Kennedy and I were working the bills, we not only recognized they weren't perfect, but we were able to talk to those Members whose problems we weren't able to solve by the time the amendment process came up in committee, and we promised to work with them until the bill got to the floor and not to take the bill to the floor until we had a solution to that problem or the right for them to offer an amendment. That helped a lot to get the bill out of committee.

Once a bill comes out of committee in a bipartisan way—meaning people from both sides of the aisle, Republicans and Democrats and Independents, support the bill—then there is a chance of bringing it to the floor and actually getting some time to debate. And the debate part is important. That is kind of where we bring America along. There is coverage during the committee process, but that is a little harder to follow. The debate here on the floor is where we bring America along on whatever ideas we have, and so the debate here is very important.

Over time, there has been this process where the leaders have invented some things that actually concentrate the power in the hands of the leaders rather than the body as a whole, and that is the filibuster process, and that filibuster process can be manufactured.

I have to tell a couple of stories. One bill I worked on around here had a solution for health care. I called it small business health plans. The idea behind the bill was that small businesses could get together through their association or any way they wanted to, across State lines, even nationwide, to form a buying group big enough to take on the biggest of the insurance companies. Think about that—the power to take on the biggest of the insurance companies. Yes, there was some opposition to that—call it the insurance companies. But many of them worked with us and began to understand how they could participate in the process and then went along with it.

One of the biggest insurance companies in the Nation had some ads out of Massachusetts opposing the bill, and eventually that helped to keep the bill from ever happening. But the biggest thing that kept the bill from happening—Mr. President, I ask unanimous consent to speak for another 10 minutes or the right to allow the Senator from California to speak and then have it come back to me.

Mrs. BOXER. I am wondering if the Senator can finish in 5 minutes, and then I would speak, and then he can have more time.

Mr. ENZI. Yes, just a couple more minutes.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from Wyoming.

Mr. ENZI. So on this small business health plan, when it came to the floor, I had the unfortunate experience of having Senator Frist setting a filibuster and filling the tree. ''Filling the tree'' means nobody can make another amendment to the bill. But here is the catch: After this came out of committee, we got the people together who had a problem with the bill, and we had one amendment that would have solved those problems. With the tree filled, that one amendment couldn't come up. That one amendment couldn't happen.

So what happened? We talked about the bill and how it lacked this particular part. I kept explaining how we had an amendment that would take care of that. Everybody in the Chamber knew that amendment was not going to happen, and consequently, on a process vote, it was killed with just over 40 votes. That is what happened with the filibuster. Had that amendment been possible, we would have had one of the things in place for health care—just one, but it would have solved a lot of things for a lot of businesses, and that is where a lot of people work in this country, and that is where jobs are.

So that is how we can do this job of legislating.

My second story would be—and this one is much shorter—about the year Senator HARKIN and I brought an FDA

bill to the floor. When it got to the floor, we explained to the leader that there were going to be 14 amendments—8 of them would be brought up and would fail, and the other 6 would be withdrawn. A week later we finally got to start on the amendments for that bill. There was worry that there would be some extraneous ones thrown in. We already had agreement, I guess you could say, from the most conservative and most liberal from each of our sides that they would not bring up the peripheral amendments, and they didn't. So a week later, when we finally got to start to vote—and we could have done that the same day, although we finished up in a day and a half—we had eight amendments that got defeated and six amendments that were withdrawn. So we wound up exactly where we knew we were going to be, and the bill passed here 96 to 1.

That is how the committee process can work, and that is how not having a filibuster can work, and that is what we need to get back to. We need to be legislating, not deal-making. And I will talk later about some of the deal-making, and we have seen that with the cliff process.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I would like to say to Senator ENZI that I agree with so much of what he said. Our being here on New Year's Eve, some of us without our families, is nothing to be proud of, and having been able to do our work through the committee system, I think he made a very good point.

ENZI and Kennedy were quite a team; BAUCUS and GRASSLEY had their successes; LEVIN and MCCAIN recently had their success on the Defense bill, with lots of amendments; BOXER and INHOFE on the Transportation bill. I can tell you, you couldn't find two people more different, and yet Senator INHOFE and I were able to do that work and get that done and protect 2 to 3 million jobs. And also STABENOW and ROBERTS in the Agriculture Committee.

So my friend is absolutely right; we can do this in the right way and not have to be here in the middle of the night. I don't think that is anything to be proud of. However, I do believe what we did early this morning was right and very important. I think Senators DURBIN and BROWN laid it out as to why that vote was so critically important: It protected our families, it gave certainty to our businesses, and it keeps this economy moving forward. All this is true if the House passes this bill.

As Senator ENZI said so eloquently and in such a straightforward fashion, this is a deal. Each of us could write our own deal, and each of us would be so much happier with a deal that we personally could write. But that is not the way it is. We are not a parliamentary system where one party controls everything.

In a parliamentary system that we see in Europe, one party controls everything. They have a program. The other party opposition has a program. There may be other parties as well but two major parties. One of them gets elected, they put together a coalition, they have discipline, they have a program. They don't have to sit down with people they don't see eye to eye with. They just have to get together and pass the program. If the people don't like it, there is a vote of confidence and out they go and in comes the opposition. They have a channel. That is not the American system. Our system is much more difficult in so many ways. So many of us are so passionate on so many issues and believe so strongly, and yet we know we have to compromise, as Senator ENZI has said.

When I sat down with Senator INHOFE on the Transportation bill—and I will be doing it now with Senator VITTER on the WRDA bill—the water resources bill—I laid out the five things I cared most about, he laid out the five things he cared most about, and, to be honest, there were only a couple things that matched. So we started with those things, and then we met each other in the middle with the rest. Then the Senate had a chance to work its will.

When the bill got over to the House, it was stuck. It was trapped. We all went over there, all of us together on a bipartisan team, to speak to Speaker BOEHNER and Chairman MICA and say: OK, let's get it done. And we did. So it can get done.

THE FISCAL CLIFF

But we are where we are, where we are. This morning we had a choice, and, frankly, I was proud to see the overwhelming vote we had. It was amazing, 89 to 8. I don't know what motivated every colleague; I only know what motivated me to believe this was an important ''aye'' vote for me to cast.

I will never forget this recession that we are just coming out of now, the worst recession since the Great Depression. As Treasury Secretary Hank Paulson—who put his head in his hands and was overwhelmed with what he actually called the potential collapse of capitalism. That is what we faced.

We have short memories here because our lives are so filled with fast-moving events every day. Some of them are wonderful, some of them are awful, some of them lift up our hearts, some of them break our hearts. So we don't remember the things that happened a couple years ago.

When President Obama took over after a very lifeless economy, as my friend Senator BROWN said, where only 1 million jobs were being created—maybe not even that many—in the private sector over an 8-year period, and suddenly there was a collapse brought on by the greed of Wall Street and manipulation of securities dealing with housing—a crash, a nightmare, and we were losing 800,000 a month. Then the auto industry was on its knees.

Believe me, in the past I haven't been the biggest fan of the auto industry for California because I believed they weren't producing the cleanest cars they could, the most fuel economy cars they could. I believed they were missing out on an opportunity. But let me tell you, when I was faced with the issue of whether to let them go bankrupt or stand and give them a chance, I chose that chance. And I am proud that I did it, and I am proud of this Congress for doing it. I am proud of this President for leading the way. That was a critical vote. And this vote this morning, I believe, was a critical vote if we really wanted to keep this economy moving forward.

A lot of people say: How did President Obama ever win with that unemployment rate so high? All the historians were saying it was never going to happen because it has never happened. Well, I will tell you why I believe it happened. I believe people understood what we went through, what we suffered through, what he inherited, not to mention two wars on a credit card that he had to end. So I think people understood this. We don't give the people enough credit. They got it. They understood it. And I hope they realize this President has led us to this point, with the Vice President, with Senator MCCONNELL, with Senator REID, to move this economy forward.

Let me tell you very quickly why it is so important to my home State. A lot of my colleagues roll their eyes when I tell them we have 38 million people in California. My friend from Wyoming, how many people in Wyoming? There are 562,785, and we have 38 million people. All right?

I want to tell you what it means that we voted the way we did. It means 400,000 people this morning will lose their unemployment insurance unless the House acts. If the House acts as we did, they will not lose it.

What does this mean to people, 400,000 of them? As my friend, the Presiding Officer—who is so good on economics—knows, there is a multiplier effect. For every dollar we give in unemployment benefits, we get a bang for the buck $1.42 in the community because the people on unemployment spend it because they are out of work.

They are about to lose this help. We need to help them, and in this package we did—2 million nationwide, 600,000 jobs at stake from the multiplier effect, and in my State 400,000 people. Almost as many people as reside in the State of Wyoming were about to lose their unemployment insurance. Imagine—almost that.

I ask for an additional 5 minutes.

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

Mrs. BOXER. So when we talk about our vote this morning, it is not a wonky discussion. It is real people. Five million Californians are about to get trapped into the AMT problem, the alternative minimum tax, which was set up for a very fair reason. I wasn't here at that time, but I remember reading about millionaires getting away with paying no taxes because we

had no alternative minimum. They took advantage of the Tax Code, got their deductions, and paid nothing. We put it in place, but it is imperfect. We had to fix it to make sure it doesn't catch the middle class—5 million of my people.

So this is like a partridge in a pear tree in a way: 400,000 people would have lost their unemployment compensation; 5 million would be caught in the alternative minimum tax, which would have been an extra in taxes right there; and 15 million would have seen their tax rates go up on average of $2,200.

This bill we voted for this morning had real consequences, and I know a lot of people are worried about the future and what is coming down in 30 days, 60 days, and 90 days—and I worry too. But I have been around here long enough to know it isn't going to get better if we put this off until then and we have twice as many issues on our plates to deal with.

So I believe what we did this morning—and my voice is going because it was a very difficult and emotional day for all of us, some being away from their families for the first time. I know my friend from Rhode Island and I talked about it. It wasn't easy, but we know what we are doing here is critical. We are not proud of the fact that it took us this long to get it done.

I agree with my friend from Wyoming. It is nothing to be proud of, but it is important what we did. We have certainty for businesses that depend upon consumerism. We have an economy that is driven by consumer activity, about 70 percent of it. Now the business community knows—if the House acts. I have to keep reminding myself it is not done. If the House acts, we will give certainty to our families, to our businesses, to our low-income people who depend upon refundable tax credits, to our energy community that relies on energy tax breaks to keep on moving and keep on producing.

So I don't want to see economic growth derailed. It was too hard and painful to sit through this very difficult economic recovery inch by inch, every day hoping we would push forward despite the odds. We had the economic crisis in New York that weighed on us as well.

Well, what we did this morning was important. So I want to close by saying this to my friends in the House, all of them—Democrats, Republican, liberals, and conservatives—this is not the perfect deal. We all know it. Each of us can find a piece of it that we really, really don't like. But on the whole it will give certainty to this economy.

In many cases, many of the provisions are permanent, such as the AMT. It gives certainty, and certainty is critical. We will not go back. We will not take billions and billions of dollars out of this economy. We can't do that now.

I would say to my conservative friends over there: Now it is the first of the year. You are actually cutting taxes now because as of today they went up. So you could take credit for cutting taxes.

I just hope and pray that the House will do the right thing; that Democrats and Republicans will come together as Americans and put the country first. I believe they will do this. I pray they will do this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I want to join the Senator from California in the hope that the House will pass the bill that was sent over from the Senate last night. It was a tremendous amount of effort that was put into it by a number of people over a number of days and weeks, and I think it is the best answer that we could come up with at this point in time.

I particularly want to thank Leader MCCONNELL and Vice President BIDEN for working numerous hours; starting, again, yesterday morning at 6:45 and winding up with something late last night, more than 12 hours later, over the last two issues, as I understand it. And, yes, I am glad that AMT was fixed. I would remind everybody that AMT is the last effort we had to tax the rich, and it backfired to where it now taxes everybody or almost everybody. So it desperately needed a fix. Now we are talking about taxing the rich again, and I hope we can come up with some collective ways that will be certain for the people who are rich and that it will last over time instead of just for a few short years.

In my area of the world, the biggest thing in that bill was the estate tax. People who own land in Wyoming that they bought maybe at $40 an acre now have land that is worth $2,000 an acre or more, and they haven't figured out how to pay the taxes on these few acres they were able to scrape together over a period of time if the amount of the exemption went down to $1 million, and that is where we were headed. At $1 million, they would have to sell off part of the ranch or part of the farm in order to pay the taxes when somebody died. All the time that land is making a profit people are paying taxes on it. Then when they die, they would have to pay taxes on something they would like to keep and continue in operation.

So the estate tax piece of that was a very important part for a lot of America, and not just the ones where people are land rich and dollar poor.

Of course, I keep wondering what would have happened if a month ago a basic bill would have been put on the floor—perhaps the President's proposal—and both sides had been able to do amendments to it, even multiple amendments on the same topic, like the Department of Defense bill. We did 119 amendments in a day and a half or 2 days. What if that had happened on this bill? Would we have been able to come up with a package that would, I suspect, be very similar to what we passed last night but done it with everybody participating, everybody understanding, the American public thinking that Congress is actually getting something done? That would be a huge relief. I think we could have done that with an open amendment process, limiting it probably to relevant amendments.

There are a lot of different things people would like to bring up because they don't know any other way they are going to get votes, but I keep reminding my colleagues that when you bring up one of those irrelevant amendments, it might make it into the bill, but it will be pulled out in conference committee. You still did not win anything. I guess you could make a big press release about how you got that into the bill to begin with, but it is not in the bill.

I want to talk today about the questions I hear from Americans who say: Why can't politicians in Washington get along? Why is there this gridlock?

Those are questions folks outside the beltway have been asking, but, like may questions, the answer is involved. For many, including President Obama and Senate Majority Leader REID, it is easy and strategic to oversimplify the answer. They have identified GOP Senators as the culprits and the filibuster as the instrument. But as one of those GOP Senators, let me give you my side of the story.

What I think people are missing and what some of the majority wants you to miss is why a filibuster happens. You do not hear this from the majority leader, but for the last few years many filibusters in the Senate have been designed and instigated by him; they have not been through the committee process.

Here is how it works. He has a bill that is popular with his party and whose title really sounds great. He knows many of those on our side, the minority, would actually agree with many parts of the bill, but we would want votes on the items that could potentially be politically embarrassing. In order to avoid these votes, he skips the committee of jurisdiction and brings the bill directly to the Senate floor. Then he uses an arcane Senate parliamentary procedure—he files for cloture and fills the amendment tree. That means he prevents amendments on the Senate floor, and often because he believes they might be embarrassing for Members on his side.

Our majority leader is no slouch; he picks bills with great titles that on the surface anyone could support—anyone. Remember, most of these have not been to committee. Who could possibly be against students or veterans or seniors or women? The problem for the minority is that within these great-sounding bills is usually something that deep down, philosophically in our bones, many just cannot accept. An example would be tying a woman's health care to a mandatory public funding of abortions or adding gun control to an otherwise acceptable crime bill. These

are poison pills that the majority knows the minority won't swallow. Best of all politically for the majority, the minority gets blamed for filibustering and the majority leadership looks like the hero fighting hard for the cause. That is how a filibuster can be initiated by the majority leader to make the minority look like obstructionists.

If the majority party brings up a bill containing a poison pill, even though the bill has a great title, they should not expect the other party to swallow the poison pill without using every delay tactic possible. In fact, they don't expect the minority to go along, and they use it to their full political advantage.

Those of us on this side in the minority have been seeing bill after bill that did not even go through committee, with great titles, containing poison pills, come to the floor directly. We were not assured even of a vote to try to take the pill out even though the majority had sufficient votes to ensure the poison pill would stay in. That is the meaning of majority—enough votes to always win. If you can always win, why stop the vote? So stopping the right to vote should and has resulted in a filibuster.

The big, dirty, not-so-secret secret is that a filibuster can be controlled by the majority leader. If the leader agrees to allow an open amendment process, permission to proceed would be a formality, and work could start immediately. That is what happened with the Department of Defense authorization we just finished. It was a fresh breeze through what the majority has turned into a stale Senate. We worked through more than 100 amendments in short order. But if no agreement to an open amendment process is agreed to before starting the bill, the minority has to believe their amendments will be blocked.

The majority can vote down any proposal it does not like and with a motion to table can do it quickly. Let me say that again. With a motion to table, they can do it quickly, they can actually limit debate. That is why the minority has been filibustering on motions to proceed and also why the majority leader wants to end that process. Delaying action on motions to proceed is our best chance to ensure an open amendment process. We can slow the bill down to try to get that agreement. The majority still does not have to agree, and if they have 60 votes, they can move ahead. If they do not have 60 votes, it has to be at least a little bit bipartisan—just a little bit.

The real point gets lost in all this; that is, to be effective, Congress has 535 people looking at every proposal—lots of viewpoints, lots of experience. If all the decisions are going to be made by the majority leader, how does every American's elected leader get to represent his or her constituents? The people back home who put their faith in their Senators expect to be represented by their Senators, not a party or a majority leader who does not know them as their own Senators do.

The majority leader has used the filibuster count to effectively falsely claim obstruction by Republicans. Remember, you can manufacture a filibuster. Now he wants to weaken the filibuster further. That may happen the day after tomorrow. That is damaging America's faith in Congress. That is damaging what the Senator from California said was one of the basic principles of this body. There are already filibuster rules. If used, they would make those objecting spend time on the floor explaining themselves, actually talking. That already exists, and in a very limited way, each Senator has the right to 1 hour of debate during a filibuster—1 hour. They can have other people cede their hours to them, but it is still a very limited amount. At any point, if there is not somebody on the floor to take more of that hour, the Presiding Officer can end that part of the filibuster. So there are already ways to shorten the delay involved, but they are not being used.

Using current rules would be much better than breaking the rules for the first time in order to change the rules. We have never done that. It has been threatened once before. It did not happen. I hope it does not happen during the time I am in the Senate. Breaking the rules to change the rules is not the way of the Senate for the history of the Senate.

I know there are amendments on which the majority does not want to have a recorded vote. That would put his Members on record. But that is the price for being in the majority. I think our side would like to be in the majority and have to take those kinds of votes. They are putting us on record without the poison bill being obvious in the vote. All we are voting on is a bill title. That is the way the people of America looked at it, and it worked very well in the last election.

Going all out to avoid votes is silencing the voices of millions of Americans and tearing down the institution of the Senate and eliminating transparency. The media usually demands transparency. This hides transparency.

The proposal to weaken the filibuster would only hasten the Senate's decline. It is like adding lemon to a recipe that is already too sour. We do not need a new recipe. We do not need to change the rule as the majority is proposing. We need to use the great system that has been in place for hundreds of years. Even now, we get glimpses of it working.

If the majority leader and those advocating for the weakening of the filibuster were in the minority, they would speak out against it. In fact, they did. In 2005, when he was in the minority, the GOP started talking about challenging the filibuster, and Senator REID warned of grave consequences. I want to quote Senator REID.

> The time has come for those Senators of the majority to decide where they stand, whether they will abide by the rules of the Senate or break the rules for the first time in 217 years. . . . Will they support the checks and balances established by the Founding Fathers?

That is a quote from the majority leader. He asked if the majority would ''silence the minority in the Senate and remove the last check we have in Washington against this abuse of power.'' That is a quote from leader HARRY REID. I hope he will follow his own advice and that that will not be a part of the problem right after we swear in the new Members this next week.

I hope the institution of the Senate will continue to be a Senate. I hope we will have more of a committee process where people can work out the things there are difficulties with and bring a more consolidated, more comprehensive, less compromising area between which neither of them believe that will get to the floor and then have an open amendment process on the floor, and I guarantee things will happen faster than they have been in the Senate. Holding up things a week or 2 weeks while we go through the whole filibuster process is a waste of our time. Amendments are not a waste of our time. I hope we get back to that system.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I have the greatest respect for the Senator from Wyoming and considerable affection. Indeed, he is my ranking member on the HELP Committee, and he has been kind enough to offer his perspective on this question of the rules change. I will reciprocate by offering my perspective.

We were in the caucus the other day. Our leader reported that during the time Lyndon Johnson was the majority leader, which was a very active and disputatious time in the Senate, he faced one filibuster, and Leader REID reported that he had faced 391, I think was the number he used. So clearly the use of the filibuster as measured by the number of cloture motions is completely out of control.

The Senator from Wyoming correctly points out that filling the tree is a challenge to the minority, but I believe, if I recall correctly—I was planning to speak on something else, and I don't have the numbers exactly accurate at hand—I believe the number of times the tree has been filled is something like 70. So there is a huge disparity between the number of times the majority leader has filled the tree and the number of times he has been forced to file cloture.

The reason is that very often there is not agreement on amendments. While on a major bill, an open amendment process is good, I believe, and we have seen examples of that recently on this floor—Senator MCCAIN and his work on the Armed Services bill, along with

Senator LEVIN, is an example—there are also times when filibuster by amendment takes place and it becomes abusive.

I can remember sitting in the chair where the distinguished Senator from Ohio is now sitting and watching Senator Kennedy on the floor. He had a bill that would raise the minimum wage. We often get big, fat bills on the floor. This was a bill that I think was literally one page. It was the smallest, shortest bill because it was just changing a number, basically.

Hundreds of amendments—literally hundreds of amendments had been filed against it. When the majority leader is faced with that—many of them were completely nongermane and not relevant—when the majority leader is faced with a circumstance where hundreds of amendments are filed on a small bill like that, it is easy to see why you have to move forward by trying to limit the time because the whole rest of the session could have been devoted to that bill if you can't get control. If you can't get an agreement—and very often, agreement is withheld as to a fixed number of amendments—then you have no choice but to take your best shot with the bill by filling the tree.

Even if I am right that the number is 70, I contend that the number of what the minority might consider a malicious filling of the tree might be a number considerably smaller than 70. Many of them might be made necessary by the actions of the minority by offering hundreds of amendments and by refusing to enter into agreements to offer a reasonable number.

I think it is a problem, but I think on balance I stand by the view I have expressed before that there is an unprecedented level of obstruction in this body, and I say that with some humility because the distinguished Senator from Wyoming has been here a bit longer. I have been here only for 6 years. But that is what people who have been here for many, many years confirm—that there has been really nothing like it.

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the period for morning business for debate only be extended until 5 p.m., with Senators to speak up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask to speak for 15 minutes but probably not that long.

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

FISCAL CLIFF

Mr. WHITEHOUSE. Mr. President, I will speak off the topic of the day. Obviously, we are focused on the fiscal cliff. The measure is now over in the House, and the distinguished Senator from Wyoming and the senior Senator from California expressed their hope—and I would say confidence—that the House will act. Given the dysfunction of the House and its Republican leadership, I am perhaps a little bit more cautious than they are about this.

I remember that we did a very good bipartisan highway bill here. It passed with an enormous vote of 70-some, if I remember correctly, and went over to the House. They could not even pass a highway bill. They had no bill at all. They got so snarled up that finally they passed a bill that did nothing but to appoint conferees to argue about our bill. They could not bring a bill of their own into conference.

We worked very hard on a farm bill here. It was a bipartisan farm bill. Senator STABENOW was particularly energetic in that, as was her colleague from Kansas. Again, that was a bipartisan bill, which required a lot of hard work and had many compromises. We are in a terrible drought—which is something I will talk about more in a moment—and they cannot pass the farm bill over there.

The Speaker tried to respond to having withdrawn from his negotiations with the President on the fiscal cliff by coming up with a new so-called Plan B alternative. He could not even get that through his caucus. There is an unprecedented degree of extremism and dysfunction in the House Republican caucus, and I hope that does not disrupt the progress we have made on the fiscal cliff. We will have to wait and see. Today will tell.

CLIMATE CHANGE

Mr. WHITEHOUSE. What I am here to talk about is not the topic of the day because the fiscal cliff is the topic of the day. What I am here to address is never the topic of the day. It is the unmentionable issue; that is, climate change. It is so apparent now that changes in our climate and in our environment are occurring from pole to pole and from the height of our atmosphere to the depths of our oceans. The overwhelming majority of scientific research, indeed statistically the now virtually unanimous scientific view, indicates that all these observed changes in the Earth's atmosphere are the direct result of human activity—specifically the emission of carbon dioxide from our burning of fossil fuels.

If we continue with these destructive levels of carbon pollution, carbon change will not just alter our environment, it will alter our economy. Very often discussions in Washington steer away from things that have to do with environment and the health and enjoyment of human beings of the natural world and instead it comes down to money, as it so often does in this town.

Let's talk about climate change in the context of money. Markets and businesses across this country have developed to fit the prevailing environmental conditions in their different regions of the United States. These markets and these businesses are going to face real challenges when our climate changes those prevailing conditions. Whether it is higher sea levels, stronger storms, warmer winters or dryer summers, no State and no economy will be unaffected by climate change.

We are already seeing real-life examples of economic consequences of a rapidly changing environment. The Economic Research Service of the U.S. Department of Agriculture reported that 80 percent of American agricultural land is experiencing drought, making this the most expensive drought since the 1950s—more than half a century ago. Last month, Deutsche Bank Securities estimated that the drought will reduce 2012 economic growth in the United States by one-half to 1 percent.

Shipping on the Mississippi River has been reduced and may stop in areas where drought has left water levels too low for safe passage. The American Waterways Operators and the Waterways Council estimate that $7 billion worth of commodities are supposed to ship on the Mississippi in December and January alone. An interruption of that would have a considerable economic effect. The U.S. Army Corps of Engineers has begun a $10 million project to clear rocks from the waterway to prevent that shutdown. The other option is to release water from the Missouri River, but that would just draw down water supplies in upriver States that are already suffering from drought themselves, such as Montana, Nebraska, and North Dakota.

Water is also essential for power generation. According to the U.S. Geological Survey, powerplants account for nearly half the daily water withdrawn in the United States. Drought and heat go hand in hand to push powerplants toward shutdown. A 2008 drought put several powerplants in the Southeast within days or weeks of shutting down. Texas, California, and the Midwest now face a similar challenge with drought stressing their power production.

In the Northeast, it is not low water but warm water that caused the shutdown of Unit 2 at the Millstone powerplant in Connecticut. The temperature of the water in Long Island Sound, from which the plant draws its cooling supply, climbed to over 75 degrees Fahrenheit this summer—too warm for cooling the Newark reactor. Of course, the cost to our economy of disruptions in our power supply is particularly high during warm weather, when energy use is at its height to run air-conditioners.

Scientists tell us the droughts and heat waves will get worse and water temperature will continue to increase. Agriculture, shipping, and power industries will be operated under new baseline environmental conditions.

Warmer oceans, ocean acidification, and extreme weather events create an

obvious threat for our fishery industries and the marine trades they support. It is not just the fishermen who are affected but the people who repair their engines and nets, sell them equipment and gear, as well as the companies that buy and process their catch are affected.

In my home State of Rhode Island, average coastal water temperature has risen by 4 degrees over the past two decades, affecting our historic fish stocks and hurting local fishermen. It is not just in Rhode Island where the seas are changing. To use another example, rising ocean temperatures and acidity threaten corals, which, as well as being a cornerstone of ocean biodiversity—but never mind, this is supposed to be a speech about the money—the coral reefs are a mainstay of Florida's water and boating industry. People go there to snorkel, scuba dive, and see the corals. If the corals are not there, it is going to affect those industries.

The increasing acidification of ocean water driven by the rising carbon dioxide in the atmosphere lowers the ocean's saturation levels of calcium carbonate. That sounds boring. Who the heck cares about the ocean saturation levels of calcium carbonate? Calcium carbonate is the fundamental building block of the shells of aquatic species such as oysters, crabs, and lobsters. Fisheries we actually do care a lot about, even if we may not care about calcium carbonate. It is the basic building block of the plankton that comprise the very base of the food web. Ocean acidification caused 70- to 80-percent losses of oyster larvae at an ocean hatchery in Oregon from 2006 to 2008. Wild oyster stocks in Washington State also failed under the stress of that more acidic water. This is an industry worth about $73 million annually along our Pacific coast, and it is faced with the threats from climate change.

The pteropod, which is also known as the sea butterfly, will be harmed by ocean acidification. The pteropod is a humble beast. It is a tiny aquatic snail. Nobody goes fishing for pteropods, so who the heck cares? Salmon care. Indeed, 47 percent of the diet of some Pacific salmon species is pteropods. The salmon fisheries which support coastal jobs and economies care an awful lot about the salmon.

Extreme weather events such as storm surges have become more frequent as our climate and oceans warm. Extreme storms such as that are particularly hard on shell fisheries. The National Oceanic and Atmospheric Administration reported that ''because oysters require two or more years to grow to marketable size, full recovery from . . . hurricanes may take years, and some oyster habitats may be lost permanently.'' National Geographic noted that after Hurricane Katrina, 90 percent of Mississippi's oyster beds and 74 percent of Louisiana's oyster beds were destroyed. Just this fall, Hurricane Sandy disrupted shellfisheries all along the east coast.

Coastal economies, such as in my home State of Rhode Island, are threatened in other ways by sea-level rise and extreme storms. The Rhode Island economic development Council notes that tourism in Rhode Island is at the absolute center of our summer economy. People from all across the Nation come to Rhode Island in the summer to enjoy our beautiful beaches, our sparkling bay, sail, and participate in all the beachside activities. Damage to that economy would be very significant.

We are rebuilding from Hurricane Sandy so we will be ready when our beach visitors come this summer, but it is a reminder of how important that economy is to Rhode Island, and it is a reminder of how vulnerable it is to extreme weather.

Let's turn to the West, where by August of this year more than 6 million acres had burned in wildfires. A new analysis by NASA predicts that by the middle of the century we can expect to match the severity of 2012 fires every 3 to 5 years. It is going to become commonplace.

A recent study by the University of Oregon—and I see the Senator from Oregon on the floor—found that large wildfires caused long-term instability in local labor markets. Increased local spending fighting the fires is not enough to outweigh the economic loss caused by the disruption of businesses and damage to property from the fire.

In August, Reuters reported that wildfires were hurting tourism in Western States. One small business owner in Salmon, ID, claimed she had nothing but cancellations as a result of the fires.

The New York Times has reported that the declining snowfall and unseasonably warm weather had been a drag on winter sports and recreational tourism last winter. The reported forecast is that before the end of the century, the number of economically viable ski locations in New Hampshire and Maine will be cut in half. Skiing in New York will be cut by three-quarters, and there will be no ski area in Connecticut or Massachusetts. That will have an economic effect.

Looking back West again, the Park City Foundation in Utah predicted an annual local temperature increase of 6.8 degrees Fahrenheit by 2075, which would cause a total loss of snowpack in the Park City resort area. The Park City Foundation report estimates this will result in thousands of lost jobs, tens of millions in lost earnings, and hundreds of millions in lost economic output to Utah. Ominously, in Colorado the ski season was pushed back at least a week this winter for lack of snow.

I am sure my colleagues on both sides of the political aisle, whether from coastal, agricultural or mountain States, feel the concern for their State's economy as I do for Rhode Island. To protect these economies, we will all have to act prudently, and that means waking up and addressing climate change head on in Congress. The majority of Americans of all political affiliations accepts the science behind climate change. Yet Congress refuses to act.

There is a consensus among scientists where around 98 percent—the other day I came with a circle graph which showed a tiny little wedge of fringe dispute on this question is barely visible in the sea of agreement. Yet Congress refuses to act. Even after hearing from our national security officials about the dangers and threats from climate change, Congress refuses to act.

That refusal to act will have an impact on the American economy. A Brookings report has found that well-designed climate legislation would increase investment, increase employment, and significantly increase America's gross domestic product, but here in Congress we are more likely to hear that any climate change legislation would hurt the economy and kill jobs. The opposite is true. We are missing opportunities to grow a clean economy that is manufacturing and export intensive and that creates the kinds of jobs that support a strong American middle class. We are failing to protect against carbon pollution that will harm our States' economies all across the country, and we are failing to take prudent steps to protect ourselves against the coming changes from our carbon pollutants that have now become unavoidable. With the carbons up in the air, the changes are going to happen. We can't stop those. We need to prepare for them, and we are failing to take those prudent steps. Those of us on the east coast who weathered Sandy have gotten a preview of coming attractions as the oceans continue to warm and extreme storms become more common.

As I said before, here in Congress we are sleepwalking through history. We are lulled by the narcotic of corporate money from the polluters and from their allies, we are ignoring the scientific facts, and we are refusing to awaken to the many ringing alarms that nature is now sounding. I hope we can soon find a way to correct this grievous folly and omission.

I yield the floor.

Mr. ENZI. Mr. President, I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. MERKLEY. Mr. President, I ask unanimous consent the period for

morning business for debate only be extended until 6 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. MERKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE FISCAL CLIFF

Mr. MERKLEY. Mr. President, I want to first address the bill we passed in the early hours this morning.

It is very unusual to be passing a bill in the early hours, certainly on the first day of the year. And this bill had a lot in it. This is the fiscal cliff bill. There are a number of reasons that I supported this bill, but there are a number of concerns I have as well. I thought it might be appropriate to just summarize why it was important this bill pass last night, but also why we should also be aware that the bill has laid out a path that requires us to do substantial additional work in order to avoid having that path be one that leads us into a thicket.

First, we do not pass this bill if the House does not get it done. It is being considered by the House right now. Then there would be a very good probability, economists estimate, that the economy would turn down in the coming year by somewhere in the range of about 2 to 3 percent, and so we would go into a recession. That means living wage jobs for American families would disappear. That is an enormous amount of hardship, and this is a self-inflicted political wound. So it was important to pass that bill last night to avoid that.

The second is that one of the immediate impacts would have been the end of unemployment insurance for a huge number of families across this country. In Oregon, it would be about 30,000 families immediately terminated from unemployment insurance, and in the course of January it would be another 10,000 families. So if you can imagine a bill that would have directly impacted the ability of 40,000 Oregon families to pay their car payments, to pay their rent, to pay their heating bills in the middle of winter, that was the bill we were considering last night. It is a very big reason why it is important that it pass.

In addition, the bill we addressed last night adjusted the rates in terms of the compensation to doctors under Medicare, called the doc fix. If the doc fix did not get adopted, and we had roughly a 25-percent reduction in payments, then what we would see is that folks would have a very difficult time getting in the door of a doctor's office. We don't really have a Medicare plan if we can't get in the door of a doctor's office, and we don't really have medical care at all if we can't get in the door of a doctor's office. So it is important that we address that—again, affecting thousands of people in my home State of Oregon.

In addition, there was a lot of concern that this fiscal cliff bill would do some things that were entirely unacceptable in regard to compromising the benefits under Medicare and Social Security. There was a proposal to increase the age limit for Medicare from 65 to 67. I advocated fiercely that that would be unacceptable. I cannot tell you how many townhalls I have gone to and had folks approach me and say: You know, I am 62 years old. I have these three conditions I am wrestling with. I have no medical care, and I am just trying to stay alive until I hit 65 so I can get medical care.

That is a common situation in a country where many people do not have health insurance. To raise the age by an additional 2 years for those folks who have no medical care would be cruel at best, and for some it would be a death sentence. That was unacceptable.

Others proposed that instead of making the cost-of-living provision in Social Security match better what seniors buy, they proposed making it match less well what seniors buy, saving money by inaccurately estimating the impacts of cost-of-living increases. It is important to recognize that neither of these elements that would have attacked the benefits of Medicare and Social Security was in the bill last night. Those programs were not on the table.

Because we needed to avert a recession, because we needed to make sure we did not slash unemployment, cut people off at the knees overnight, block folks from being able to get in the door of their doctor's office, and because the bill did not do some of the things that would have been 100 percent unacceptable, it merited support last night in this Chamber. I say last night, but it was actually in the early hours of this morning, the first day of 2013.

I supported this bill, but I have grave concerns about certain elements. This bill essentially adopted 90 percent-plus of the Bush tax cuts. Unless we continue to wrestle with the fact that revenue is at a historic low in this country and the gap between revenue and spending is very high, we are laying out a path for structural deficits as far as the eye can see. That is not in the best interests of this country.

Folks who are well off got a very good deal last night—a very low tax on capital gains, a huge loophole in the estate tax, a very low tax on dividends, and only the very top tax bracket for the most wealthy among us was touched at all. It was not the $250,000 level President Obama had said he was fighting for, it was $400,000-plus. There are not many folks who are at that level, and only that top bracket was touched. If you are very well off in America, you got a very good deal last night, but America got a big problem, which is the potential for enduring deficits, structural deficits that undermine the soundness of our future finances.

In addition, the bill we considered last night created some additional fiscal cliffs in the very near future, within 2 months—in March. One is that it does not address the debt ceiling. The debt ceiling is not about what we spend, not about the decisions on what we spend, it is whether we are going to pay the bill after the spending has been authorized. It is like saying to yourself: When the credit card bill comes, I am just not going to pay it because I should not have spent so much money. That is what the debt ceiling problem is—not to pay the bills we have already incurred.

What happened the last time we had this controversy was our national credit rating was diminished. That means when you borrow money, you have to pay more. So we shot ourselves in the foot to no purpose.

The time to make the decision over what you spend is when you are making the spending decision, not when the bill arrives later. You have already made that commitment. You are already in that boat. You have a responsibility to fulfill payment of the bills you have signed up for. But we will have that ahead of us in just 2 months.

In addition, the bill we had in the wee hours this morning pushes off the sequester for only 2 months. What is the sequester? The sequester is a series of mandatory payment cuts that fall on working people. There was a big budget deal a year ago that I voted against because what it said is that if the supercommittee does not come up with a good plan, we are going to balance the budget on the backs of working people. I voted against it. The bill last night did not do that because it pushed off the sequester, but it only pushed it off for 2 months. So if you are concerned about a nation in which the bonus breaks for the best off are untouched while cuts fall on working people, then you should be concerned about the battle that is just 2 months ahead.

In addition, there was a last-minute addition of a farm bill—not the Senate's farm bill, not a bill that was adopted in committee process, not a bill that was adopted on the floor of this Chamber, it was an individual leader's farm bill. The minority leader's farm bill was inserted last night.

Earlier, we had a speech by one of my colleagues, who was saying that it is so important that we do the hard work in committee and that we do the hard work on the floor with an open amendment process. That is what we did with the Senate farm bill. Senator STABENOW from Michigan, the chair of the committee, Ranking Member ROBERTS—they worked very hard to have

an honest, open, public debate and votes on the individual elements. In the course of that, we adopted disaster aid for farmers and ranchers across America who were scorched by the worst fires in a century and one of the worst droughts in the last century. They should have been helped immediately upon those disasters, but they could not be helped because the farm bill had expired. Leaders said we will quickly reauthorize it. The Senate reauthorized it, we put those provisions in, we sent it over to the House, and the House never acted on it.

Then we tried to take those emergency provisions and put them into the Hurricane Sandy bill. If we are going to address the disaster for Hurricane Sandy, as we absolutely should and must, we should also address the disaster of the worst droughts and worst fires in the century.

An area in Oregon the size of Rhode Island burned this last summer. The forage burned. The fences burned. Farms and ranches were devastated. In other parts of the country, it was drought that was devastating. The version of the farm bill stuffed in last night does not have those emergency provisions even though this Chamber put them in. This Chamber supported them. The committee supported them.

We also did something else on the floor: We said the historic imbalance between those who farm in a more traditional fashion and those who farm in an organic fashion is going to be righted. You know, under crop insurance there was a provision for organic farmers that said: We are going to charge you a lot more for your insurance, but in recognition for that, you are going to get the price of organic goods, which is higher, if you have a disaster that this covers. But the Department of Agriculture never got around to calculating the organic price, and therefore the farmers got short shrift, paying high premiums on the front end without the compensation we promised on the back end.

This Chamber fixed that, but last night the minority leader stuffed a farm bill into this package that stripped it out. So much for the conversation I have been hearing about good committee work and good floor work. I absolutely agree with the Senator who spoke earlier today about good committee work and good floor work, but that was not honored in the farm bill that was stuffed in last night.

I will tell you there is a lot more to this. Research on specialty crops has a big impact on my home State. We have a lot of specialty crops. The Willamette Valley grows virtually anything. It is one of the best farming places in the country. It is not pure wheat or pure rice or pure soy; you can grow a lot of specialty crops. But a lot of that research was stripped out. So we did not get the bill this Chamber decided upon.

The chair of Agriculture has come to this floor and expressed extreme duress and frustration. She is absolutely right. The Senate actually did a very good job of process. It does not often do such a good job of process. It went through committee, it went through a floor debate, it went through an amendment process, and all of that was ignored. So the next time we hear lectures about process, I would like it to be noted about what happened last night and how ranchers and farmers across this country were betrayed by the farm bill that was stuffed in at the last second.

We have a lot of work to do in this Chamber. The path we were starting on last night is one that addresses immediate emergencies, people being able to get in their doctors' doors, and folks being able to continue to have a coherent unemployment insurance policy while they are looking for work while unemployment rates are still high. But we have a lot of work to do from here forward or we are going to end up in some places that make our path forward as a nation much more difficult.

I certainly am committed to continuing the effort to put this country on a sound financial footing and continuing to try to make the process here in the Senate work better. In that context, we have a debate that is going to begin in just 2 days about the process in the Senate.

In the course of my lifetime and in the lifetime of everyone here, the Senate has gone from a deliberating chamber, a decisionmaking chamber admired around the world, to perhaps one of the most dysfunctional legislative chambers to be found anywhere. There are still Members who like to think of the Senate with the words ''the world's greatest deliberative body,'' but they are the only ones who might think that about the Senate because no one else paying attention considers the Senate to be a great deliberative body. It has become deeply paralyzed.

The root of this goes partially to the circumstances of the bitter partisanship that has dominated our politics, and that is unfortunate. But it also goes to the fact that as the social contract unraveled—and perhaps related to that partisanship—you have rules that worked well in the past that do not work well now. One of those is certainly the filibuster.

In the early Senate, you can imagine 26 Senators, 2 from each State, saying: We should have the courtesy of hearing each other out to make sure we make great decisions so we get everybody's opinion on the table. That is the courtesy of not ending debate until everyone has said what they want to say.

Over time, the Senate grew larger. It became a little more difficult, but the principle was honored because when the debate had wound down, someone asked unanimous consent to hold a vote, and generally they would get unanimous consent and the vote would be held. It was understood that this was a simple-majority body. If you were going to stand in the way of that final vote after everyone had their say, then, in fact, you were interrupting the process by which this Chamber makes decisions and helps take this country forward. Certainly the heart of it was the understanding that the pathway favored by the most is most of the time better than the pathway favored by the few. The majority vote is the heart of the democratic process. And we had challenges along the way. There were occasionally periods where folks gave long speeches and managed to stop a vote before this Senate went on recess, but in general it worked pretty well, in part because the individuals who might abuse the process realized the rules could be changed by a simple majority. If they abused it on one occasion, the privilege of being able to express their full views for an extended period might be changed by the majority changing the rules. So it kept the process in check. There was an understanding that everyone got to be heard, everyone got to have their opinion considered, but if it was abused there could be a response to that.

Well, in 1917 it was abused. A small faction blocked the ability of the bill to go forward that would put armaments on U.S. commercial shipping, and those ships were being sunk by Germany. President Woodrow Wilson and Senate leaders were outraged. How could a small faction allow our ships to go unarmed in a situation where they are being sunk; that is unacceptable.

Well, that small faction had their reasons. They believed once they put armaments onto a ship, they were probably going to be firing shots. When they fired shots, they were involved in the war. They wanted to block the United States from getting involved in the war, but there was only a small group in the Senate who believed we should allow Germany to sink our ships with no response.

So the Senate came together and said: OK. We are going to respond to a small faction obstructing the will of this body of not allowing us to go forward. They had their say, we heard them out, and they have their opinions. We are going to allow two-thirds to shut down debate and get to a final vote. That was in 1930. It was the first such motion, and it was the cloture motion—as in closing debate. This continued to work pretty well. It worked well until about 1970. So for 50 years it worked pretty well.

Why did it work well? In part because there was a big overlap between Democrats and Republicans. If I were to chart out those who were the most liberal Republicans and the most conservative Democrats, there would be a lot of overlap in the middle. It was generally understood that this was a simple majority body and there should only be an objection to a simple majority vote when everyone had their say. If it was a principle that was of a deep and exceptional nature, such as a personal principle or an issue affecting a Senator's State, and because that Senator was objecting to the ordinary

functioning of this body, that Senator felt a compulsion to stand and make the case before colleagues. In a sense it was because the Chamber had reporters on the upper level who followed Senators making their cases before American citizens.

Well, over time, the filibuster, which is an objection to a simple majority vote, evolved in two ways. Instead of it being a faction standing on principle, it started to be utilized as an instrument of the minority party to obstruct the ability of the majority party to put forth an agenda. Instead of it being a small group and an important principle, it became a legislative tactic of the minority leadership. It is true for Democrats and Republicans. There is not one party who is more guilty of this, if you will. They both employed this tactic over time.

In addition to the increasing polarization of America, we started to get less overlap in the perspective of Democrats and Republicans. Twenty years ago we might have had 30 Senators in that span between the most conservative Democrat and the most liberal Republican, so normally they would have that overlap of 30 Senators so they could still get two-thirds of the Senate, and that served as a check on the use by the minority of the filibuster as a tactic of penalization.

As the Senators from World War II started to move out of this Chamber, and as those from the House who had adopted kind of a ruthless partisan strategy started to move into this Chamber, we saw that social cohesion break down, and we started to see more and more use of the filibuster.

I have some charts. The first chart probably sums it up pretty well. During the time that Lyndon Johnson was majority leader for 6 years, he faced one filibuster. During HARRY REID's 6 years—a week or so ago when I made this chart, the filibusters were 387. Now it is in the 390s. In 2 days I guess we will not have any filibusters, so we may not break 400. What a contrast between the amount that Lyndon Johnson had when he was majority leader and basically 400 in the 6 years HARRY REID has been the majority leader. That is an enormous change.

In addition, normally the objection to a majority vote was done on the final vote of a bill. But starting in about 1970, folks realized that on any debatable motion, the same paralysis could be brought. They could object to a simple majority vote on a simple debatable motion.

I will lay out how this has changed over the last 40 years in different categories. One change is in nominations. Here we see that before approximately 1968 there were virtually no filibusters on nominations. In fact, I believe the rule was changed in 1949. There was a question raised over whether the filibuster could be used on nominations, and after some debate this Chamber decided to change the rule and allow it on nominations. So when people say: Well, this is the way we have always operated, it is 200 years of history, first, there was no cloture motion before 1917. In fact, the simple majority could change the rules back then. Also, there were no cloture motions on nominations, so we have this new world.

If I move this podium so everyone can see the far right edge, we can see this steady increase in this tactic. Note this very tall bar in 2012. This impact is not just on this number of these two dozen nominations, this affects and creates a whole backlog of unfilled positions in the executive branch and the judicial branch. Since 1970, this Chamber has essentially said: You know what. There is supposed to be three equal branches of the government, but we are going to use our advice and consent power under the Constitution to effectively undermine and attack the judiciary and executive branches.

That is not what the Framers had in mind. In the discussions over how the Constitution was put together, show me a Federalist Paper where any of our Framers argued that advise and consent is designed so that Congress can basically damage the executive and judicial branches by refusing to consider nominations. So that is one big change.

Well, let's take a look at motions to proceed. We see back in 1932 there was a filibuster, and in the early 1960s we see a few filibusters. Then in about 1970 we see that it took off. It was not thought to be appropriate to filibuster just any debatable motion. The idea was there was an issue of deep principle in which a Member had to make a stand to block the bill from final passage.

Now, suddenly, we can paralyze the process by even keeping a bill from getting to the floor. What sense does it make to argue that a Member is facilitating the debate by blocking the debate from happening? Many people come to the floor and say the filibuster is all about facilitating debate and making sure everybody has a say. Blocking the bill from getting to the floor doesn't facilitate at all. We see this as a growing form of paralysis.

The same story is true on amendments. So on amendments again, we see from the early 1970s forward there is big growth. Well, previously it was the perspective that the filibuster was going to stop the bill from getting enacted. Members didn't know what the bill would be until the amendments were fully debated, so a Member didn't block the amendments from coming to a vote. Again, the process grew.

So let's take a look at final passage. Here we see the traditional use of the filibuster. One or two was the average during this time period, from 1917 until the early 1970s, and then we have this explosion. No longer were Members blocking a bill on a deep issue of personal value or something that was key to their State that they were willing to take to this floor and talk about, but instead it would be just a routine obstruction using an instrument not of principle but of politics.

We even have a challenge of getting bills to conference committee. This was a case where the Senate and the House passed a bill, and we just wanted to start negotiations. How does it facilitate debate in any kind of way to block getting it to a conference committee and starting those negotiations? That was never done until the early 1970s. There we have it, the growth of this measure.

Once this instrument of obstruction was utilized, then this Chamber often decided to forego the conference committee. We gave up on it. When I was here in 2009, I would say: Well, let's get the conference committee going. Well, they would not do that because it would take weeks of this Chamber's time to get the conferees appointed and the three debatable motions done to be able to get to a conference committee. What? Isn't it outrageous that we cannot even have a negotiation with the House? So we have to go through this complicated process of sending the bill over to the House, and the House has to amend it and send it back to us, and we have to amend it and send it back to them.

Sometimes there are even informal negotiations that are out of public view instead of a conference committee that would be in an official setting with official recordings of what was being said and what amendments were being proposed and how it was being worked out. Instead of doing it in public, it was done in a back room. So this is certainly damaging to our process.

We could go on about one other area, which is conference reports—those reports coming back. This is a little bit more like final passage in that this is before something becomes law and goes to the President's desk. Again, here we see this was rarely used until the early 1970s, and then there was an explosion of this tactic not for deep personal principle but for paralysis.

I have found it quite interesting to hear some of my colleagues say this was the constitutional design, the Senate be a supermajority chamber. That is beyond out of sync with American history or any facts. They say: Well, isn't there a story about George Washington talking to Thomas Jefferson where George Washington says: The Senate's meant to be the cooling saucer, and, therefore, wasn't the Senate always a supermajority body? The answer is, no. It wasn't a supermajority body.

As I have demonstrated by these charts, it was very rare before 1970 to oppose a final majority vote; and when it was done, it was done for principle. People also took to this floor. They didn't have to, but they took to this floor and explained themselves to their colleagues and the American public. The Framers were very suspicious of using a supermajority in the setting of legislative action. They thought it should be used for serious changes in the design of the government.

For example, they considered that if we are going to pass a treaty, it should

be a supermajority. They put that into the Constitution. They laid out that if we are going to override a veto by the President, it should take a supermajority to do that, and they put it into the Constitution. They said, if we are going to amend the Constitution itself, we should take a supermajority. They put that in the Constitution. They didn't put a supermajority for legislating in. Oh, they thought about it. They talked about it. They wrestled with it. They kept coming back to the belief that the heart of the Democratic process is the path the majority chooses as the right path is the path that should prevail, not the path chosen by the minority.

So there were commentaries on this in various of the Federalist Papers. Here we have Alexander Hamilton on supermajority rule. He said supermajority rule in Congress would lead to ''tedious delays; continual negotiations and intrigue; contemptible compromises of the public good.'' That is what Hamilton thought. That overlays pretty well with a lot of what we see on the floor of the Senate today.

How about Madison. Madison had commentary on this. He said, ''The fundamental principle of free government would be reversed'' if this Chamber did legislation by supermajority. Why did he say that? Because it would mean the path chosen by the few would prevail over the path chosen by the majority.

There is a lot of nostalgia when people think back to a time when the filibuster was an instrument of principle. Many Americans think about this. They think about the movie where Jimmy Stewart portrays Jefferson Smith, a newcomer to the Senate, and he comes to the well of the Senate and he fights for the principle of avoiding the corrupt practices regarding a boys camp. He didn't have to take the floor and demand a supermajority vote for blocking the simple majority, but he was determined to both make his case before the American people as well as his colleagues and certainly eat up as much time as he could physically, which was another strategy of the standing, talking filibuster, so the public would have a chance to respond.

Many folks say that is just a romantic Hollywood thing. But the charts I have shown my colleagues show the filibuster was used only rarely. It was viewed as an exceptional instrument of fighting for a personal principle when you were willing, when you had the courage to stand before your colleagues and make a stand. It was that way when I came here in the early 1970s. I came as an intern in 1976. In the previous year, there had been a big fight over the filibuster because of the early abuses we saw on those charts in the early years of the 1970s. The attitude changed. The filibuster started to become used as an instrument for partisan politics rather than personal principle.

So they had a debate in 1975, and they said we are going to change it from 67 to 60. That is where they ended up. It started with this body affirming multiple times that its intent was to use simple majority to change the rules as envisioned under the Constitution. It is also the way it was envisioned under the rules of the Senate: A simple majority could change the rules, until 1970. There are a lot of observations by ordinary Americans that the Senate is broken, and we should listen to ordinary Americans who expect us to be a legislative body that can deliberate and decide.

This is a cartoon that came out recently by Tom Tolls of the Washington Post showing a Senator at the podium and the Senator says: I will tell you all the reasons we shouldn't reform the filibuster. No. 1, it will restrict my ability to frivolously stymie everything. No. 2—and he thinks for a while and he can't think of any other reason we shouldn't reform the filibuster, so he asks the staff: How long do I have to keep talking? The little commentary down here: You can read your recipes for paralysis.

The filibuster has become a recipe for paralysis. It is up to us 2 days from today, when we start a new session of Congress, to take responsibility for modifying the rules of the Senate because we have a responsibility to the American people to address the big issues facing our Nation and we can't do that when this Chamber is paralyzed.

I thank the Presiding Officer for the time to address this issue. I look forward to the debate we are going to have 2 days from today.

I see our majority leader has come to the floor, and I thank him for all the dialogs over the last 2 years on this topic. The majority leader may not have seen the chart I put up to start with, but it is his picture.

Mr. REID. I saw it.

Mr. MERKLEY. He has been suffering, if you will, through these nearly 400 filibusters in the 6 years he has been majority leader, while so many issues in America go unaddressed; each one of these filibusters procedurally taking up as much as a week of the Senate's time, even if we can get to vote to shut it down.

We must change the way we do our business in this Chamber to honor our responsibility under the Constitution to legislate in order to address the big issues facing Americans.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I did watch the presentation of my friend and I appreciate his tenacity and his thoroughness.

TRIBUTE TO TONY HANAGAN AND KEIRA HARRIS

Mr. MCCONNELL. Mr. President, Tony Hanagan and Keira Harris are two former pages who returned to the Senate, graciously volunteering to sacrifice some of their Christmas vacation to help here on the Senate floor this past weekend. Tony and Keira have worked tirelessly to complete work typically performed by 14 pages. We appreciate their help during the Senate's recent late nights. We thank them for their great effort and impeccable service to the Senate.

MESSAGE FROM THE HOUSE

At 2:03 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 bills, without amendment:

S. 3454. An act 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.

S. 3630. An act to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the ''Captain Rhett W. Schiller Post Office''.

S. 3662. An act to designate the facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, as the ''Lieutenant Ryan Patrick Jones Post Office Building''.

S. 3677. An act to make a technical correction to the Flood Disaster Protection Act of 1973.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6612. An act 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.

H.R. 6649. An act to provide for the transfer of naval vessels to certain foreign recipients.

The message further announced that the House agree to the amendment of the Senate 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 message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 147. Concurrent resolution waiving the requirement that measures enrolled during the remainder of the One Hundred Twelfth Congress be printed on parchment.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 6612. An act 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; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 459. To require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, January 1, 2013, she had presented to the President of the United States 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''.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 870, 871, 878, 879, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 932, 933, 934, 935, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, with the following exceptions: Colonel Stephen Rader, Colonel Randall A. Shear, Jr., and Colonel Erik C. Peterson; and all nominations placed on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

FEDERAL MARITIME COMMISSION

William P. Doyle, of Pennsylvania, to be a Federal Maritime Commissioner for the term expiring June 30, 2013.

DEPARTMENT OF TRANSPORTATION

Michael Peter Huerta, of the District of Columbia, to be Administrator of the Federal Aviation Administration for the term of five years.

OVERSEAS PRIVATE INVESTMENT CORPORATION

James M. Demers, of New Hampshire, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2014.

Naomi A. Walker, of the District of Columbia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2012.

STATE JUSTICE INSTITUTE

Jonathan Lippman, of New York, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2012.

Jonathan Lippman, of New York, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2015.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Maria Rosario Jackson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

NATIONAL INSTITUTE OF BUILDING SCIENCES

Joseph Byrne Donovan, of Virginia, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2013.

NATIONAL FOUNDATION OF THE ARTS AND THE HUMANITIES

Bruce R. Sievers, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

DEPARTMENT OF JUSTICE

Angela Tammy Dickinson, of Missouri, to be United States Attorney for the Western District of Missouri for the term of four years.

IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Colonel Stephen J. Linsenmeyer, Jr.

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Calvin H. Elam

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Mark E. Bartman
Brig. Gen. Stanley J. Osserman, Jr.
Brig. Gen. Thomas A. Thomas, Jr.
Brig. Gen. Eric G. Weller

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Colonel Glen M. Baker
Colonel Jeffrey D. Buckley
Colonel Anthony J. Carrelli
Colonel Timothy J. Cathcart
Colonel Andrew J. Donnelly
Colonel Harold S. Eggensperger
Colonel James O. Eifert
Colonel Bryan P. Fox
Colonel Ricky D. Gibney
Colonel Christopher A. Hegarty
Colonel John P. Hronek, II
Colonel Paul Hutchinson
Colonel Kevin J. Keehn
Colonel Christopher J. Knapp
Colonel Michael E. Manning
Colonel Clayton W. Moushon
Colonel Michael A. Nolan
Colonel Michael L. Ogle
Colonel Ronald E. Paul
Colonel Samuel H. Ramsay, III
Colonel William B. Richy
Colonel Adalberto Rivera
Colonel Sami D. Said
Colonel Anthony E. Schiavi
Colonel John D. Slocum
Colonel Ronald W. Solberg

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Kenneth E. Floyd

AFRICAN DEVELOPMENT FOUNDATION

Edward W. Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2017.

Iqbal Paroo, of Florida, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2017.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

T. Charles Cooper, of Maryland, to be an Assistant Administrator of the United States Agency for International Development.

DEPARTMENT OF JUSTICE

Patrick J. Wilkerson, of Oklahoma, to be United States Marshal for the Eastern District of Oklahoma for the term of four years.

Louise W. Kelton, of Tennessee, to be United States Marshal for the Middle District of Tennessee for the term of four years.

MILLENNIUM CHALLENGE CORPORATION

Lorne W. Craner, of Virginia, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of two years.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Lori J. Robinson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Gregory A. Biscone

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Lisa A. Naftzger-Kang

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General William B. Binger
Brigadier General Keith D. Kries
Brigadier General Maryanne Miller
Brigadier General Jane C. Rohr
Brigadier General Patricia A. Rose
Brigadier General Jocelyn M. Seng
Brigadier General Sheila Zuehlke

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brigadier General Paul L. Ayers
Brigadier General Jim C. Chow
Brigadier General Gregory L. Ferguson
Brigadier General Anthony P. German
Brigadier General Rickie B. Mattson
Brigadier General John E. McCoy
Brigadier General John E. Murphy
Brigadier General Brian G. Neal

The following named officers for appointment in the Reserve of the Air Force to the

grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Colonel Stephanie A. Gass
Colonel Mary H. Hittmeier
Colonel Timothy P. Kelly
Colonel Thomas E. Kittler
Colonel Kenneth R. LaPierre
Colonel Mark L. Loeben
Colonel James F. Mackey
Colonel Walter J. Sams
Colonel Christopher F. Skomars
Colonel Wade R. Smith
Colonel Mark D. Stillwagon
Colonel Curtis L. Williams

The following named Air National Guard of the United States officer for appointment as Director, Air National Guard, and for appointment to the grade indicated in the Reserve of the Air Force under title 10, U.S.C., sections 601 and 10506:

To be lieutenant general

Lt. Gen. Stanley E. Clarke, III

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Jody J. Daniels

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Bernard S. Champoux

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Michael L. Scholes

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be brigadier general

Colonel Christopher S. Ballard
Colonel David G. Bassett
Colonel Donald C. Bolduc
Colonel Edward M. Daly
Colonel Malcolm B. Frost
Colonel Donald G. Fryc
Colonel Anthony C. Funkhouser
Colonel Peter A. Gallagher
Colonel William K. Gayler
Colonel Mark W. Gillette
Colonel David B. Haight
Colonel Joseph P. Harrington
Colonel Michael L. Howard
Colonel John P. Johnson
Colonel James E. Kraft, Jr.
Colonel Michael E. Kurilla
Colonel Paul J. Laughlin, II
Colonel Joseph M. Martin
Colonel Terrence J. McKenrick
Colonel Christopher P. McPadden
Colonel John E. O'Neil
Colonel Mark J. O'Neil
Colonel Andrew P. Poppas
Colonel James E. Rainey
Colonel Kent D. Savre
Colonel Wilson A. Shoffner, Jr.
Colonel Mark S. Spindler
Colonel Sean P. Swindell
Colonel Randy S. Taylor
Colonel John C. Thomson, III
Colonel Leon N. Thurgood
Colonel Flem B. Walker, Jr.
Colonel Robert P. Walters, Jr.

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Randolph L. Mahr

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Steven A. Hummer

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Richard T. Tryon

UNITED STATES TAX COURT

Albert G. Lauber, of the District of Columbia, to be a Judge of the United States Tax Court for the term of fifteen years.

THE JUDICIARY

Ronald Lee Buch, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

David Masumoto, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2018.

Ramon Saldivar, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

William J. Mielke, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Arthur H. Sulzer, of Pennsylvania, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

UNITED STATES INSTITUTE OF PEACE

George E. Moose, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1981 AIR FORCE nominations (93) beginning DEMEA A. ALDERMAN, and ending FELISA L. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of November 13, 2012.

PN2034 AIR FORCE nominations (85) beginning MATTHEW W. ALLINSON, and ending JEFFREY D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2054 AIR FORCE nominations (3) beginning JOHAN K. AHN, and ending JEFFREY S. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2083 AIR FORCE nominations (6) beginning LAURA A. BRODHAG, and ending JOHN D. KLEIN, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2084 AIR FORCE nominations (17) beginning WILLIAM R. BAEZ, and ending BRYCE G. WHISLER, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2085 AIR FORCE nominations (51) beginning JAKE R. ATWOOD, and ending MICHAEL R. ZACHAR, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2086 AIR FORCE nominations (73) beginning KRISTEN J. BEALS, and ending JIANZHONG J. ZHANG, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2087 AIR FORCE nominations (30) beginning TANSEL ACAR, and ending BRANDON H. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2088 AIR FORCE nominations (146) beginning SAMUEL E. AIKELE, and ending SCOTT M. ZELASKO, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2089 AIR FORCE nominations (246) beginning HOMAYOUN R. AHMADIAN, and ending JOE X. ZHANG, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

IN THE ARMY

PN2035 ARMY nomination of Robert W. Handy, which was received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2036 ARMY nomination of James T. Seidule, which was received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2037 ARMY nominations (2) beginning MARK A. NOZAKI, and ending MATTHEW D. RAMSEY, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2038 ARMY nominations (11) beginning CHRISTOPHER J. CUMMINGS, and ending RANDOLPH O. PETGRAVE, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2039 ARMY nominations (34) beginning ANTHONY C. ADOLPH, and ending SEAN M. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2040 ARMY nominations (130) beginning RONALD L. BAKER, and ending MICHAEL T. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2041 ARMY nominations (159) beginning TERRY L. ANDERSON, and ending G001094, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2042 ARMY nominations (240) beginning JOSE L. AGUILAR, and ending D005615, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2055 ARMY nomination of Michael D. Shortt, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2056 ARMY nomination of Delnora L. Erickson, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2057 ARMY nomination of Ronald D. Lain, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2058 ARMY nomination of Matthew J. Burinskas, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2059 ARMY nomination of Ronald G. Cook, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2060 ARMY nomination of David A. Cortese, which was received by the Senate

and appeared in the Congressional Record of December 5, 2012.

PN2061 ARMY nomination of Charles J. Romero, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2062 ARMY nominations (2) beginning MICHAEL D. DO, and ending GREGORY S. SEESE, which nominations were received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2074 ARMY nominations (15) beginning DEEPTI S. CHITNIS, and ending GIA K. YI, which nominations were received by the Senate and appeared in the Congressional Record of December 10, 2012.

PN2075 ARMY nominations (17) beginning KARIN R. BILYARD, and ending BETHANY S. ZARNDT, which nominations were received by the Senate and appeared in the Congressional Record of December 10, 2012.

PN2076 ARMY nominations (51) beginning JAMES E. ANDREWS, II, and ending D010617, which nominations were received by the Senate and appeared in the Congressional Record of December 10, 2012.

PN2077 ARMY nominations (82) beginning JACOB W. AARONSON, and ending DAVID W. WOLKEN, which nominations were received by the Senate and appeared in the Congressional Record of December 10, 2012.

PN2078 ARMY nominations (150) beginning SILAS C. ABRENICA, and ending KEVIN M. ZEEB, which nominations were received by the Senate and appeared in the Congressional Record of December 10, 2012.

PN2079 ARMY nominations (161) beginning LOVIE L. ABRAHAM, and ending VICKEE L. WOLCOTT, which nominations were received by the Senate and appeared in the Congressional Record of December 10, 2012.

PN2090 ARMY nomination of Alfred C. Anderson, which was received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2091 ARMY nomination of Deanna R. Beech, which was received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2092 ARMY nominations (2) beginning SHRRELL L. BYARD, and ending SOO B. KIM, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

PN2093 ARMY nominations (7) beginning DONALD E. LAYNE, and ending JOSEPH F. SUCHER, which nominations were received by the Senate and appeared in the Congressional Record of December 17, 2012.

IN THE NAVY

PN2043 NAVY nominations (3) beginning DAVID SAMMETT, and ending TIMOTHY R. DURKIN, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2044 NAVY nominations (36) beginning TIMOTHY R. ANDERSON, and ending GEORGE B. WATKINS, which nominations were received by the Senate and appeared in the Congressional Record of November 27, 2012.

PN2063 NAVY nomination of John T. Volpe, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2064 NAVY nomination of Tamara M. Sorensen, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

PN2065 NAVY nomination of Joseph N. Kenan, which was received by the Senate and appeared in the Congressional Record of December 5, 2012.

NOMINATION OF RICHARD B. BERNER TO BE DIRECTOR, OFFICE OF FINANCIAL RESEARCH, DEPARTMENT OF THE TREASURY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 645; that the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that President Obama be immediately notified of the Senate's action.

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

If there is no further debate, the question is, Will the Senate advise and consent to the nomination of Richard B. Berner, of Massachusetts, to be Director, Office of Financial Research, Department of the Treasury?

The nomination was confirmed.

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of the following Foreign Service nominations and the Senate proceed to their consideration en bloc: Presidential Nomination 1878, Gary T. Greene; Presidential Nomination 1970, a list beginning with Philip S. Goldberg and ending with Robert W. Weitzel; Presidential Nomination 2028, Michael R. Hardegen; Presidential Nomination 2029, a list beginning with Geoffrey W. Wiggin and ending with Eric A. Wenberg, with the exception of Geoffrey W. Wiggin; Presidential Nomination 2030, a list beginning with Stephen J. Gonyea and ending with Katharine Antonia Weber, with the exception of Scott S. Cameron; Presidential Nomination 2031, a list beginning with Sharon Lee Cromer and ending with Clinton David White, with the exceptions of Sharon Lee Cromer and Maria Rendon Labadan; and Presidential Nomination 2032, a list beginning with Karl Miller Adam and ending with Mark K. Yang, with the exception of Daniel Menco Hirsch; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

FOREIGN SERVICE

The following-named Career Member of the Senior Foreign Service of the Department of Agriculture (APHIS) for promotion within and into the Senior Foreign Service to the class indicated:

Career Member of the Senior Foreign Service, Class of Minister Counselor:

Gary T. Greene, of Georgia

The following-named Career Members of the Senior Foreign Service of the Department of State for promotion into and within the Senior Foreign Service to the classes indicated:

Career Members of the Senior Foreign Service of the United States of America, Class of Career Minister:

Philip S. Goldberg, of the District of Columbia
Wanda L. Nesbitt, of Pennsylvania
Victoria Nuland, of Connecticut
Michele Jeanne Sison, of Maryland
Daniel Bennett Smith, of Virginia

Career Members of the Senior Foreign Service, Class of Minister-Counselor:

Karl Philip Albrecht, of Virginia
Theodore Allegra, of Colorado
Bruce Armstrong, of Florida
Clare A. Barkley, of Maryland
Robert I. Blau, of Virginia
Roberto Gonzales Brady, of California
John Brien Brennan, of Virginia
Piper Anne Wind Campbell, of the District of Columbia
Jonathan Raphael Cohen, of California
Mark J. Cohen, of Texas
Maureen E. Cormack, of Illinois
John S. Creamer, of Virginia
Jeffrey DeLaurentis, of New York
Laura Farnsworth Dogu, of Texas
Walter Douglas, of Nevada
Catherine I. Ebert-Gray, of Colorado
Susan Marsh Elliott, of Florida
Thomas Scott Engle, of the District of Columbia
Marilyn Claire Ferdinand, of Virginia
Valerie C. Fowler, of Washington
Daniel Edward Goodspeed, of Virginia
William S. Green, of Ohio
Jeri S. Guthrie-Corn, of California
Michael A. Hammer, of Maryland
D. Brent Hardt, of Florida
Robert A. Hartung, of Virginia
William A. Heidt, of California
James William Herman, of Washington
Thomas Mark Hodges, of Tennessee
Martin P. Hohe, of Florida
Charles F. Hunter, of the District of Columbia
Mark J. Hunter, of Florida
Donald Emil Jacobson, of Virginia
Kelly Ann Keiderling Franz, of California
Sung Y. Kim, of California
John Charles Law, of Virginia
Russell G. Le Clair, Jr., of Illinois
Mary Beth Leonard, of Massachusetts
Donald Lu, of California
Lewis Alan Lukens, of Virginia
Deborah Ruth Malac, of Virginia
William John Martin, of California
Robin Hill Matthewman, of Washington
Elizabeth Kay Webb Mayfield, of Texas
James P. McAnulty, of Virginia
Thomas S. Miller, of Minnesota
Barry M. Moore, of Texas
Michael Chase Mullins, of New Hampshire
John Olson, of California
Theodore G. Osius, of the District of Columbia
Robert Glenn Rapson, of New Hampshire
Robert A. Riley, of Florida
Gary D. Robbins, of Washington
Todd David Robinson, of New Jersey–
Matthew M. Rooney, of Texas
Dana Shell Smith, of California
Dean L. Smith, of Texas
Pamela L. Spratlen, of California
Stephanie Sanders Sullivan, of Maryland
Susan M. Sutton, of Virginia
Michael Embach Thurston, of Washington
Paul Allen Wedderien, of California

Alice G. Wells, of Virginia
Thomas E. Williams, Jr., of Virginia
Robert A. Wood, of New York
Uzra S. Zeya, of Florida
Benjamin G. Ziff, of California

The following-named Career Members of the Foreign Service for promotion into the Senior Foreign Service, as indicated:

Career Members of the Senior Foreign Service of the United States of America, Class of Counselor:

David W. Abell, of Arkansas
Aruna S.G. Amirthanayagam, of New York
Tanya Cecelia Anderson, of Pennsylvania
Michael Adam Barkin, of Florida
Peter Henry Barlerin, of Maryland
Susan Tebeau Bell, of South Carolina
Virginia Lynn Bennett, of Georgia
Randy W. Berry, of Colorado
Bruce Berton, of Washington
Donald Armin Blome, of Illinois
Andrew Norbu Bowen, of Texas
Sue Lenore Bremner, of California
Maria E. Brewer, of Indiana
Natalie Eugenia Brown, of Virginia
Gregory S. Burton, of Virginia
Brent Donald Byers, of Virginia
Paul Michael Cantrell, of California
Lisa Marie Carle, of California
John Leslie Carwile, of Maryland
Laurent D. Charbonnet, of Louisiana
Craig Lewis Cloud, of Florida
Nancy Lynn Corbett, of California
Greggory D. Crouch, of the District of Columbia
Don D. Curtis, of Maryland
John J. Daigle, of Louisiana
Joel Danies, of the District of Columbia
John Winthrop Dayton III, of Texas
Nicholas Julian Dean, of Virginia
Robin D. Diallo, of California
John Walter Dinkelman, of Wyoming
Brian P. Doherty, of Florida
Christine Ann Elder, of Virginia
Nina Maria Fite, of Pennsylvania
Eric Alan Flohr, of Maryland
Daniel L. Foote, of Virginia
Kenneth Lee Foster, of Virginia
Robert Arthur Frazier, of Texas
Thomas G. Gallo, of New Jersey
Rebecca Eliza Gonzales, of Texas
Martha J. Haas, of Arizona
Sarah Cooper Hall, of New York
Scott Ian Hamilton, of Illinois
Todd Philip Haskell, of Florida
Andrew B. Haviland, of Iowa
Peter Mark Haymond, of Virginia
Dennis Walter Hearne, of North Carolina
Brian George Heath, of New Jersey
Jonathan Henick, of California
G. Kathleen Hill, of Texas
Nicholas Manning Hill, of Rhode Island
Jeffrey M. Hovenier, of Maryland
George W. lndyke, Jr., of New Jersey
Eric A. Johnson, of the District of Columbia
Gary P. Keith, of Ohio
Eric Khant, of Florida
Yuri Kim, of Guam
Karin Margaret King, of Ohio
Daniel Joseph Kritenbrink, of Virginia
Yael Lampert, of New York
James Marx Levy, of Washington
John M. Lipinski, of Pennsylvania
Patricia Alice Mahoney, of Texas
Jeanne M. Maloney, of Tennessee
Colette Marcellin, of Virginia
Caryn R. McClelland, of California
Brian David McFeeters, of New Mexico
Jacqueline K. McKennan, of Wyoming
Martha L. Melzow, of California
Phillip Andrew Min, of New Jersey
William James Mozdzierz, of New York
Katherine Anne Munchmeyer, of Texas
Michael J. Murphy, of Virginia
Robert Barry Murphy, of New Hampshire
Robert William Ogburn, of Maryland
Sheila R. Paskman, of Pennsylvania
Lisa J. Peterson, of New York
Robert A. Pitre, of Washington
Beth L. Poisson, of Maryland
Elizabeth Mabel Whalen Pratt, of the District of Columbia
David Hugh Rank, of Illinois
Joel Richard Reifman, of Texas
David M. Reinert, of New Mexico
Joan Marie Richards, of California
Raymond D. Richhart, Jr., of California
William Vernon Roebuck, Jr., of North Carolina
Michael D. Scanlan, of Pennsylvania
Stephen M. Schwartz, of New York
Justin H. Siberell, of California
George Neil Sibley, of Connecticut
Adam H. Sterling, of New York
John C. Sullivan, of California
Melinda Tabler-Stone, of Virginia
John Stephen Tavenner, of Texas
Dean Richard Thompson, of Maryland
Susan Ashton Thornton, of the District of Columbia
Laird D. Treiber, of the District of Columbia
Jeffrey A. Van Dreal, of Texas
Lisa Annette Vickers, of California
Samuel Robert Watson III, of Virginia
Donna Ann Welton, of the District of Columbia
Terry John White, of Oregon
Stephanie Turco Williams, of Texas
Eugene Stewart Young, of the District of Columbia

Career Members of the Senior Foreign Service, Class of Counselor, and Consular Officers and Secretaries in the Diplomatic Service of the United States of America:

Robert L. Adams, of Virginia
Thomas A. Barnard, of Virginia
Francis John Bray, Jr., of California
Carmen Margarita Castro, of Virginia
Ronnie S. Catipon, of Virginia
David F. Cooper, of Florida
Edwin W. Daly, of Virginia
Craig Dicker, of Maryland
Mark S. Graves, of Virginia
Edwin Guard, of Virginia
Charles J. Horkey, of Florida
Richard J. Ingram, of Virginia
Michael P. Kane, of Virginia
Kevin J. Kilpatrick, of Indiana
Gregary James Levin, of California
Jeffrey D. Lischke, of Virginia
Kathleen G. Lively, of Virginia
Thomas G. McDonough, of Maryland
Brian J. McKenna, of Maryland
Patrick J. Moore, of Florida
Wayne F. Quillin, of New York
John H. Rennick, of Texas
Susan B. Summers, of Virginia
Robert W. Weitzel, of Virginia

The following named Career Member of the Foreign Service of the International Broadcasting Bureau for promotion into the Senior Foreign Service to the class indicated:

Career Member of the Senior Foreign Service, Class of Counselor, and Consular Officer and Secretary in the Diplomatic Service of the United States of America:

Michael R. Hardegen, of Florida

Career Members of the Senior Foreign Service, Class of Minister Counselor:

James J. Higgiston, of Maryland
David C. Miller, of Washington
Elia P. Vanechanos, of New Jersey

Career Members of the Senior Foreign Service, Class of Counselor:

Gary W. Meyer, of Wisconsin
Eric A. Wenberg, of Wyoming

The following-named persons of the United States Agency for International Development for appointment as Foreign Service Officers of the classes stated.

For appointment as Foreign Service Officer of Class Two, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

Stephen J. Gonyea, of Florida
Ritu K. Tariyal, of California
Alexis Maria Taylor, of New York

For appointment as Foreign Service Officer of Class Three, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

Sarah Maxwell Banashek, of California
Robert B. Barton, of Pennsylvania
Aaron J. Bishop, of California
Ana Isabel Bodipo-Memba, of the District of Columbia
Kevin Maurice Brown, of Florida
Elizabeth Ann Callender, of Virginia
Monica Dore Carlson, of Virginia
Elizabeth Davnie-Easton, of Virginia
Cristina M. Drost, of Nevada
Charles Ogorchukwu Egu, of Maryland
Susan Fenno, of Maine
Christopher Todd Foley, of New York
Christine D. Gandomi, of Arizona
Anya Glenn, of California
Alexandra Isabel Huerta, of Washington
Deborah L. Johnston, of Virginia
Melanie A. Luick-Martins, of Iowa
Steven M. Majors, of Missouri
Mark A. Mitchell, of Oregon
Christine M. Obester, of Virginia
Amy Michelle Partida, of Texas
Allyson L. Phelps, of Arizona
Andrew Ari Rebold, of New York
Shannon Marae Rogers, of Colorado
Andrea Sawka, of Florida
Jason Lee Smith, of the District of Columbia
Richard E. Spencer, of Virginia
Matthew Earl Sumpter, of California
Greg M. Swarin, of Michigan
Corina Chentze Warfield, of California
Katharine Antonia Weber, of Alaska

The following-named Career Members of the Senior Foreign Service of the Agency for International Development for promotion within and into the Senior Foreign Service to the classes indicated:

Career Members of the Senior Foreign Service, Class of Career Minister:

David E. Eckerson, of Virginia
Earl W. Gast, of California
William Hammink, of the District of Columbia
Susumu Ken Yamashita, of Florida

Career Members of the Senior Foreign Service, Class of Minister Counselor:

Robert F. Cunnane, of Florida
Alexander Dickie IV, of Texas
Susan French Fine, of Virginia
Brooke Andrea Isham, of Washington
Kevin J. Mullally, of Arizona
Charles Eric North, of Virginia
Denise Annette Rollins, of the District of Columbia
Thomas H. Staal, of Maryland
Dennis James Weller, of Illinois
Melissa A. Williams, of Virginia

Career Members of the Senior Foreign Service, Class of Counselor:

Jim Nelson Barnhart, Jr., of Georgia
Sherry F. Carlin, of Florida
Kimberly J. Delaney, of California
Celestina M. Dooley-Jones, of South Dakota
Lisa Rose Franchett, of California
Michelle Allison Godette, of Florida
Deborah Lynn Grieser, of Illinois
Nancy L. Hoffman, of Florida
James M. Hope, of Texas
Mark S. Hunter, of Virginia
Rebecca A. Latorraca, of West Virginia
Teresa L. McGhie, of Nevada
Elizabeth E. Palmer, of Arizona
Joakim Eric Parker, of California
Andrew William Plitt, of Maryland
Roy Plucknett, of Virginia
Leslie K. Reed, of California
Allen F. Vargas, of Florida
Clinton David White, of Florida

The following-named persons of the Department of State for appointment as Foreign Service Officers of the classes stated.

For appointment as Foreign Service Officer of Class Four, Consular Officer and Secretary in the Diplomatic Service of the United States of America,

Karl Miller Adam, of Texas
Andrew L. Armstrong, of Florida
Dina A. Badawy, of Virginia
Francoise I. Baramdyka, of California
Brian Paul Beckmann, of Minnesota
Fritz W. Berggren, of Washington
Marie Marguerite Blanchard, of Massachusetts
Kathryn W. Bondy, of Georgia
Melanie Lynette Bonner, of the District of Columbia
Matthew J. Britton, of California
Bianca M. Collins, of Michigan
Anton Mark Cooper, of Washington
Melissa Elmore Cotton, of Massachusetts
Andrew Joseph Curiel, of California
Hannah A. Draper, of Arkansas
Thomas Anthony Duval, of Massachusetts
James P. DuVernay, of New Jersey
Amy E. Eagleburger, of California
Jonathan Edward Earle, of Missouri
Jeremy Edwards, of Texas
Jeffrey Edward Ellis, of Washington
John C. Etcheverry, of California
Dylan Thomas Fisher, of Virginia
Theodore Joseph Fisher, of California
Rebecca V. Gardner, of Ohio
Robert Richard Gatehouse, Jr., of Connecticut
Joseph Martin Geraghty, of Pennsylvania
John Drew Giblin, of Georgia
Stephanie Snow Gilbert, of Oklahoma
Mark Thomas Goldrup, of California
Michael Gorman, of Virginia
Catherine A. Hallock, of New York
Jessica Amy Hartman, of California
Stephanie M. Hauser, of Florida
Jeffrey M. Hay, of Virginia
Mark Hernandez, of Virginia
Benjamin George Hess, of North Carolina
Kathryn L. Holmgaard, of Virginia
Jonathan Paul Howard, of Virginia
Brent W. Israelsen, of Nevada
Eric Ryan Jacobs, of Florida
Nichiren Rashad Jones, of Georgia
Rachel Ynyr Kallas, of Wisconsin
Allen L. Krause, of Michigan
Dawson Law, of Florida
Katherine Maureen Leahy, of New Jersey
Adam Jacob Leff, of the District of Columbia
Rong Rong, Li, of Maine
Elizabeth Angela Litchfield, of Illinois
Jennifer L. McAndrew, of Texas
Daniel Craig McCandless, of Pennsylvania
Julia P. McKay, of South Carolina
Elizabeth Albin Meza, of Texas
Eric C. Moore, of Oregon
Kristy M. Mordhorst, of Texas
Walker Paul Murray, of Washington
Scott A. Norris, of Texas
Sarah Oh, of New York
James Paul O'Mealia II, of New Jersey
Irene Ijeoma Onyeagbako, of Nevada
Erik Graham Page, of South Carolina
Jennifer Leigh Palmer, of California
Neil M. Phillips, of Maryland
Jay Lanning Porter, of Utah
A. Larissa Proctor, of Virginia
Margaret S. Ramsay, of New York
Jeramee C. Rice, of Tennessee
James Thomas Rider, of Michigan
Shannon M. Ritchie, of Virginia
George Rivas, Jr., of Texas
Jennifer Wells Robertson, of Virginia
Dustin Salveson, of New York
Jonathan Charles Scott, of California
Mihail David Seroka, of Alabama
Travis Mark Sevy, of Utah
Muhammad R. Shahbaz, of New York
George Brandon Sherwood, of North Carolina
Michael Aaron Shulman, of the District of Columbia
Gwendolynne M. Simmons, of Florida
Nathan R. Simmons, of Idaho
Nisha Dilip Singh, of California
Jeremy Daniel Slezak, of Texas
Alan Joseph Smith, of the District of Columbia
Eric Anthony Smith, of California
Véronique Elisabeth Smith, of California
Kristen Marie Stolt, of Illinois
Michael James Wautlet, of Colorado
Erin Ramsey Wilhelm, of the District of Columbia
Garrett E. Wilkerson, of Oregon
Amanda L. Williams-Ford, of North Carolina
Nelson H. Wu, of Virginia
Margaret Anne Young, of Missouri
Michael Joseph Young, of Colorado

The following-named Members of the Foreign Service to be Secretaries or Consular Officers and Secretaries in the Diplomatic Service of the United States of America:

Sarah Ahmed, of Virginia
Zakhar Amchislavsky, of the District of Columbia
Moses An, of California
Brian I. Apel, of Virginia
Tobei B. Arai, of Georgia
Harry J. Bethke, of Virginia
Littane Bien-Aime, of Massachusetts
Keondra S. Bills, of New York
Ryan P. Blanton, of Missouri
Jackson Bloom, of California
Michael C. Blue, of Pennsylvania
Pren-Tsilya Boa-Guehe, of Maryland
Elizabeth Boniface, of Virginia
Douglas L. Brady, of Virginia
Alain C. Brainos, of Virginia
Patrick Branco, of Hawaii
Joseph A. Brandifino, of Virginia
Adam Matthew Brown, of Florida
Amy B. Brown, of the District of Columbia
Travis S. Brown, of the District of Columbia
Amanda Rose Buescher, of California
Paul R. Bullard, of New York
Jose E. Campoy, of Arizona
Virgil William Carstens, of Texas
Mark R. Carter, of Connecticut
Ryan W. Casselberry, of Florida
Tuseef Chaudhry, of Virginia
Doreen A. Ciavarelli, of Virginia
Pam S. Cobb, of the District of Columbia
Anita C. Cochran, of New York
Lindsay Coldwell, of Virginia
Patricia Connor, of Virginia
Marlo Salaita Cross-Durrant, of the District of Columbia
Daniel William Cunnane, of Virginia
Christine E. Cuoco, of Virginia
Mary C. Cypressi, of Pennsylvania
John P. Davies, of Virginia
Maria C. Dec, of Virginia
Anthony Delladonna, of Virginia
Dan Deming, of Virginia
Elizabeth A. Dreeland, of Arizona
Elisabeth F. El-Khodary, of Maryland
Mark C. Elliott, of Maryland
Anthony L. Ettison, of Maryland
John V. Fazio, of Illinois
Benjamin Michael Fehrman, of North Carolina
Joseph P. Ferguson, of Florida
Paul I. Fishbein, of California
Paul R. Fleming, of Michigan
Jennifer R. Garcia, of Virginia
Karina Gabriela Garcia, of California
Courtney L. Gates, of California
John Hunter Gray, of California
Marina Vishnevetsky Grayson, of Texas
Colin Guard, of Washington
Nathaniel Sherman Haft, of Ohio
Allyson Hamilton-McIntire, of Kentucky
Anne Louise M. Hanson, of Virginia
Kaylea J. Happell, of the District of Columbia
Mark W. Hardy, of Virginia
Byron Clement Hartman, of Virginia
Tyson P. Hinds, of Virginia
Theodore Ho, of California
Alexis J. Huff, of California
Kenneth H. Ilgenfritz, of Virginia
Daniela Stefanova Ionova-Swider, of Florida
Kendall D. Jackson, of West Virginia
Briana Nicole Jones, of the District of Columbia
Jeff Jung, of California
Hiram K. Keliipio, of Virginia
Akbar Khalid, of Virginia
Walid N. Kildani, of Virginia
Yuki Kondo-Shah, of Arizona
Patrick E. Koucheravy, of Virginia
Laurie Anne Kuriakose, of Illinois
Jessie Marie Kuykendall, of Oklahoma
Rebecca A. Larson, of the District of Columbia
Jaime Faye LeBlanc-Hadley, of Texas
Alex Vladichak Litichevsky, of New Jersey
Amy L. Loprete, of Maryland
Cesar Marines, of Virginia
James McDonnell, of the District of Columbia
Monty Rushmoore McGee, of Virginia
Sean P. McGuire, of Virginia
Sutton Adell Meagher, of the District of Columbia
Anne-Marie G. Melanson, of Virginia
Ronald Mendez, of Texas
Victoria S. Meuret, of Virginia
Cameron Scott Millard, of Washington
Jared R. Milton, of Virginia
Amy Rachel Monsarrat, of Virginia
Joseph J. Motyleski, of Virginia
Jonathan G. Nadzam, of Virginia
Emma Mariska Nagy, of California
Brandon K. Nolen, of the District of Columbia
Mark W. Okiishi, of Virginia
Haneef L. Omar, of Maryland
Stephen J. Osullivan, of Virginia
Benjamin Overby, of Nevada
Jane Jihye Park, of Virginia
Julianne Nicole Parker, of Florida
Gregory Parnell, of Virginia
Sapna K. Patel, of Texas
Thomas Benjamin Perkowski, of the District of Columbia
Ryan Evan Peterson, of Virginia
Jeffrey Prenger, of Maryland
David A. Rasmussen, of Virginia
Michael F. Renehan, of Maryland
Kelli A. Rettinger, of Virginia
Michael Clinton Riley, of North Carolina
Brady E. Roberts, of Texas
Scott N. Roffman, of Michigan
Carrie M. Romoser, of Virginia
Vanessa N. Rozier, of Connecticut
Andrea L. Ruschenberg, of Virginia
Anastasia J. Sadowski, of Virginia
Patrick Salzwedel, of North Carolina
Aleksey Sanchez, of Florida
David M. Schorr, of Idaho
Leah J. Severino, of California
Ahmed Shama, of New York
Jeffry Howard Sheldon, of Montana
Mark T. Shen, of Virginia
Andrew Todd Shepard, of Florida
Christina Terrill Skipper, of Virginia
Kevin W. Smith, of Virginia
Alesia L. Sourine, of Michigan
Crystal Spearman, of Texas
Max Joseph Steiner, of California
William John Steinmetz, of Virginia
Alex Stewart, of Virginia
Rebecca Joy Stewart, of the District of Columbia
RaeJean K. Stokes, of Connecticut
William Stroud, of Virginia
Michael John Suleski, of Virginia
Ivan Susak, of Virginia
Robert T. Sutter, of the District of Columbia
Pamela M. Tadken, of Maryland
Karla Thomas, of Washington
Markus A. Thomi, of New York
Samuel H. Thompson, of Virginia

Leah Thornstenson, of Texas
Nicholas J. Unger, of California
Todd William Unterseher, of Louisiana
Jennifer L. VanWinkle, of Iowa
Juan Manuel Vazquez, of Washington
Susan Rivers Vesel, of Virginia
Vanessa Lisbeth Vidal Castellanos, of California
Ann Marie Warmenhoven, of Florida
Bryan D. Weisbard, of Virginia
Robert C. Wheeler, of Virginia
Lee Vincent Wilbur, of South Dakota
Jacqueline K. Wilson, of Oregon
Peter Brenner Winter, of New Mexico
Kevin Wong, of Virginia
William H. Wyche, of Virginia
Mark K. Yang, of Virginia

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the following committees be discharged from further consideration of the following nominations and the Senate proceed to their consideration en bloc: Commerce Committee, Presidential Nominations 1919, 1774, 1924, 1702, 1925, 1509, 2009, 2010, 2011, 2012, 2021, 2045, 2046; Veterans' Affairs Committee and HELP Committee, Presidential Nomination 1948; Homeland Security and Governmental Affairs Committee, Presidential Nomination 1698; Environment and Public Works Committee, Presidential Nominations 1966, 1965, 1964, 1398, 1950; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

FEDERAL TRADE COMMISSION

Joshua D. Wright, of Virginia, to be a Federal Trade Commissioner for the term of seven years from September 26, 2012.

DEPARTMENT OF TRANSPORTATION

Polly Ellen Trottenberg, of Maryland, to be Under Secretary of Transportation for Policy.

DEPARTMENT OF COMMERCE

Mark Doms, of Maryland, to be Under Secretary of Commerce for Economic Affairs.

FEDERAL COMMUNICATIONS COMMISSION

Mignon L. Clyburn, of South Carolina, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2012.

AMTRAK

Christopher R. Beall, of Oklahoma, to be a Director of the Amtrak Board of Directors for a term of five years.

Yvonne Brathwaite Burke, of California, to be a Director of the Amtrak Board of Directors for a term of five years.

IN THE COAST GUARD

Pursuant to title 14, U.S. Code, Sections 189 and 276, the following named officers of the Coast Guard permanent commissioned teaching staff for appointment to the grades indicated in the United States Coast Guard:

To be captain

Brigid M. Pavilonis

To be lieutenant commander

Victoria C. Futch

Pursuant to title 10, U.S. Code, Section 12203, the following named officers for appointment to the grade indicated in the United States Coast Guard Reserve:

To be captain

Barbara A. Anderson
Elizabeth S. Becker
James M. Bradshaw
Stephen K. Browning
Andrew T. Grenier
Craig R. Henzel
Paul J. Kosiba
Richard P. McLoughlin
Mary A. Merlin
Darren M. Moore
Mark M. Murakami
Raymond A. Murray
Richard K. Nelson
John P. Nolan
Sean K. O'Brien
Jeffrey K. Pashai
Ronald C. Richard
Charles T. Scheel
Paul J. Smith
Kenneth G. Stefanisin

Pursuant to title 14, U.S. Code, Section 271, the following named officers for appointment to the grade indicated in the United States Coast Guard:

To be captain

Charles G. Alcock
Michael S. Antonellis
Michael A. Baroody
Kevin F. Bruen
Mark J. Bruyere
Joseph R. Buzzella
Peter J. Clemens
Amy B. Cocanour
Benjamin A. Cooper
Dean J. Dardis
Benjamin L. Davis
Andres V. Delgado
Timothy D. Denby
Dennis C. Evans
Kent W. Everingham
Charles E. Fosse
Claudia C. Gelzer
Thomas W. Gesele
Shannon N. Gilreath
Jason R. Hamilton
Lonnie P. Harrison
Robert T. Hendrickson
Glenn C. Hernandez
Pedro L. Jimenez
Eric G. Johnson
Kevin A. Jones
Samuel R. Jordan
Ted L. Jordan
Lawrence A. Kiley
Nathan E. Knapp
William J. Lane
Carola J.G. List
Thomas S. MacDonald
Sean C. MacKenzie
Edward J. Marohn
David G. McClellan
Patrick S. McElligatt
Keith P. McTigue
Matthew T. Meilstrup
Mark J. Morin
Mitchell A. Morrison
Andrew D. Myers
Lee B. Mynatt
Jason D. Neubauer
James A. Passarelli
Stephen E. Raney
John D. Reeves
Sean P. Regan
Brian W. Roche
Patrick A. Ropp
Aaron E. Roth
Jose A. Saliceti
Edward W. Sandlin
Timothy J. Schang
Ronald K. Schuster
Robert L. Smith
Joseph H. Snowden
Jonathan S. Spaner
James P. Spotts
Mikeal S. Staier
Todd R. Styrwold
Erich M. Telfer
Jeffery W. Thomas
Richard V. Timme
William R. Timmons
Gary L. Tomasulo
Jonathan W. Totte
John C. Vann
Robert W. Warren
Timothy J. Wendt
Edward A. Westfall
Jeffrey C. Westling
Gregory D. Wisener
Steven P. Wittrock

Pursuant to title 14, U.S. Code, Section 271(e), the following named officers for appointment to the grade indicated in the United States Coast Guard:

To be commander

Matthew P. Barker
Michael W. Batchelder
Joshua D. Bauman
Adam G. Bentley
Damon L. Bentley
Kenneth E. Blair
Kenneth J. Boda
Camilla B. Bosanquet
Roy R. Brubaker
Joann F. Burdian
Andrew T. Campen
Scott S. Casad
Christopher R. Cederholm
John R. Cole
Robert C. Compher
Chad W. Cooper
Nathan E. Coulter
Joandrew D. Cousins
Charles C. Culotta
Cornelius E. Cummings
Shawn E. Decker
Michael E. Delury
Stephen A. Devereux
John T. Dewey
Jose E. Diaz
John R. Dittmar
Keith M. Donohue
Eric D. Drey
Jerome E. Dubay
Mia P. Dutcher
Timothy W. Eason
Damon C. Edwards
Jeffrey T. Eldridge
Janet D. Espinoyoung
Matthew R. Farnen
Sarah K. Felger
Kevin B. Ferrie
Todd A. Fisher
Ted R. Fowles
Michael E. Frawley
Tanya L. Giles
Michael J. Goldschmidt
Michael D. Good
Hans C. Govertsen
Charles M. Guerrero
Tim A. Gunter
Thomas T. Harrison
Robert E. Hart
Heath A. Hartley
Casey J. Hehr
Jonathan N. Hellberg
Scott C. Herman
Anna W. Hickey
Nakeisha B. Hills
Christopher M. Huberty
Christopher J. Hulser
Austin R. Ives
Thomas A. Jacobson
Jeffrey H. Jager
David M. Johnston
Daniel C. Jones
Warren D. Judge

Sean R. Katz
Richard J. Kavanaugh
Brian R. Khey
Michael L. Kilmer
Jared E. King
Bradley J. Klimek
Perry J. Kremer
Charles F. Kuebler
Joseph T. Lally
Daniel F. Leary
Erin M. Ledford
Jacqueline M. Leverich
Andrew H. Light
Lexia M. Littlejohn
Chad A. Long
Kevin P. Lynn
Susan M. Maitre
Eric D. Masson
Harry D. Mautte
John F. Mccarthy
Randy F. Meador
Michael L. Medica
Timothy G. Meyers
Alan H. Moore
Ellis H. Moose
Anne M. Morrissey
Ulysses S. Mullins
Kenneth T. Nagie
Raymond. Negron
David J. Obermeier
Sean J. Obrien
Thomas A. Olenchock
Rebecca E. Ore
Luis C. Parrales
Scott W. Peabody
Luke A. Perciak
Patrick F. Peschka
Justin D. Peters
Harper L. Phillips
Tracy O. Phillips
Scott S. Phy
Frank A. Pierce
Keith J. Pierre
Shannon M. Pitts
Alisa L. Praskovich
Steven E. Ramassini
Jacob J. Ramos
Rodrigo G. Rojas
Matthew A. Rudick
Rosario M. Russo
Belinda C. Savage
Clint B. Schlegel
Anita M. Scott
Arthur R. Shuman
David M. Sherry
Michael J. Simbulan
Jennifer L. Sinclair
Loring A. Small
Derek L. Smith
Eric A. Smith
Shad S. Soldano
James W. Spitler
Douglas K. Stark
John M. Stone
Vasilios Tasikas
Romualdus M. tenBerge
Michael D. Thomas
Matthew A. Thompson
Solomon C. Thompson
Russell R. Torgerson
Gregory M. Tozzi
Christopher A. Tribolet
Clinton A. Trocchio
Bryan J. Ullmer
James A. Valentine
Eva J. Vancamp
Paul G. Vogel
David M. Webb
Tyson S. Weinert
Molly A. Wike
Terence J. Williams
Kevin M. Wilson
Nicholas L. Wong
Andrew J. Wright

Pursuant to title 14, U.S.C., Section 271(d), the following named officers for appointment in the United States Coast Guard to the grade indicated:

To be rear admiral lower half

Capt. Peter J. Brown
Capt. Scott A. Buschman
Capt. Michael F. McAllister
Capt. June E. Ryan
Capt. Joseph M. Vojvodich

Pursuant to title 10, U.S.C., Section 12203, the following named officers for appointment to the grade indicated in the United States Coast Guard Reserve:

To be captain

Robert T. Hanley
Gary W. Jones
Dirk A. Stringer

Pursuant to title 14, U.S.C., Section 271(e), the following named officers for appointment to the grade indicated in the United States Coast Guard:

To be lieutenant commander

Austin L. Adcock
Lawrence F. Ahlin
Antone S. Alongi
Monica F. Andersen
Mikael D. Anderson
Jennifer J. Andrew
Audie J. Andry
Edward S. Aponte
Matthew S. Austin
Bernard C. Auth
Samuel H. Babbitt
Brian D. Bachtel
Engrid A. Backstrom
Michael W. Baird
John E. Bannon
Roger B. Barr
Stephen T. Baxter
Todd M. Behney
James R. Bendle
Patricia M. Bennett
Torrey H. Bertheau
Robert A. Bixler
Kelly C. Blackburn
Julie E. Blanchfield
Ronald D. Bledsoe
Brian T. Boland
Jeffrey M. Bolling
Erin M. Boyle
Tommy J. Brackins
Corey A. Braddock
Adam C. Brennell
Michael D. Brimblecom
Collin R. Bronson
Mary D. Brooks
Meaghan H. Brosnan
Cody L. Brown
Katherine L. Brown
Staci K. Brown
Bradley A. Brunaugh
Christopher D. Brunclik
Martin J. Bryant
Elizabeth A. Buendia
Kenneth J. Burgess
Nicole S. Burgess
Adam N. Burkley
Eric S. Burley
Kara L. Burns
William R. Cahill
Michael J. Calderone
James J. Camp
James M. Carabin
Luis O. Carmona
Joel B. Carse
Christopher L. Carter
Aaron J. Casavant
Christy S. Casey
David K. Chapman
Jeffrey J. Chonko
Gregory A. Clayton
Bryan J. Coffman
Bradley D. Conway
Adam J. Cooley
James R. Cooley
George H. Cottrell
Jeremy A. Courtade
Michael T. Courtney
Allison B. Cox
Jonathan W. Cox
Brooks C. Crawford
Byron A. Creech
Daniel A. Cruz
David B. Cruz
Walter L. Daniel
Michael R. Darrah
Arthur M. Dehnz
Phillip A. DeLisle
Jeremy R. Denning
Jarrod M. Dewitz
Jennifer R. Doherty
Douglas M. Doll
Scot R. Druckrey
Lauren F. Dufrene
Christopher P. Dufresne
Francisco A. Estevez
Patricia L. Ferrell
Stanley P. Fields
Jason M. Finison
Brandon C. Fisher
Matthew L. Fitzgibbons
Jason S. Franz
Michael Friend
Tracy D. Funck
Matthew A. Gans
Lisa L. Garcez
Kevin E. Garcia
Jesse J. Garrant
Greg S. Gedemer
Lacresha A. Getter
James A. Gibson Jr
Michael R. Gillham
Erin K. Gilson
Gerrod C. Glauner
Jerod A. Glover
Ian A. Hall
Andrew P. Halvorson
Kent D. Hammack
Anders J. Hammersborg
James J. Hannam
Gregory A. Hayes
Juan M. Hernandez
Reyna E. Hernandez
Gerald J. Hewes
Anthony S. Hillenbrand
James E. Hiltz
Marcus T. Hirschberg
Matthew M. Hobbie
Mary D. Hoffman
Crist M. Holveck
Daniel J. Huelsman
Donald E. Hunley
Michael J. Hunt
Daniel G. Hurd
Ian T. Hurst
Marcus A. Ivery
Raymond D. Jackson
James A. Jenks
Briana N. Jewczyn
Nathaniel K. Johnson
Thomas D. Jones
Mark C. Jorgensen
Kevin L. Kammeter
Kevin T. Karow
Anthony J. Kenne
Margaret D. Kennedy
James R. Kenshalo
Corey M. Kerns
Gregory J. Knoll
Matthew R. Kolodica
Michael A. Kops
Scott C. Kramer
Richard E. Kuzak
Ryan B. Lamb
Kara M. Lavin
Amanda M. Lee
Almerick C. Lim
Brandon M. Link
Christopher D. Lucero
Beth A. Mager
Krissy A. Marlin
Rodney G. Martinez
Matthew K. Matsuoka
Gregg J. Maye
Kevin J. Mcdonald
Clay D. Mckinney
John M. McWilliams

Christopher D. Meik
Nathan S. Menefee
George F. Menze
Bradley W. Middleton
David A. Middleton
Brooke A. Millard
Jesse M. Millard
Jonathan D. Miller
Kenneth R. Millson
Boris Montatsky
Commander K. Moore
Michael C. Morefield
Kathryn A. Moretti
Robert S. Morris
Kelly J. Moyers
Ernesto Muniztirado
Gary C. Murphy
Scott C. Murphy
Steven M. Myers
Ronald T. Nakamoto
Samuel R. Nassar
Brandon J. Natteal
Joshua B. Nelson
Ian S. Neville-Neil
Michael D. Newell
Michael C. Norris
Charles S. Novak
Stephen P. Nutting
Jeremy R. Obenchain
Janna M. Ott
Daniel G. Owen
Tina D. Owen
Nicholas W. Parker
Thomas T. Pequignot
Luke R. Petersen
Michael C. Petta
Mark A. Piber
Sean P. Plankey
Jason T. Plumley
Beau G. Powers
Clayton S. Preble
Kristen M. Preble
Randy L. Preston
Christopher C. Putnam
Miles R. Randall
Kevin J. Rapp
Kent R. Reinhold
Emily P. Reuter
Jonathan P. Rice
Christian P. Rigney
Stanley L. Robinson
Chad J. Robuck
Kenneth H. Rockhold
Thomas C. Rodzewicz
Kjell C. Rommerdahl
Elizabeth M. Roscoe
Jeffrey H. Rubini
Eric S. Runyon
Catharine L. Ryan
Michael K. Saffold
Jaime Salinas
Richard C. Sansone
Andrew G. Schanno
Matthew A. Schibler
Brian C. Schmidt
William A. Schrade
David P. Sheppard
Brendan C. Shields
Luke M. Slivinski
Frances M. Smith
Pablo V. Smith
Paul D. Smith
Scott R. Smith
William M. Snyder
Benjamin J. Spector
Donald S. Stiker
Christopher S. Stoeckler
Steven D. Stowers
Kevin J. Sullivan
Robert J. Tenetylo
Philip D. Thisse
Joseph G. Thomas
Keith O. Thomas
Stephen G. Thompson
Jarod S. Toczko
Miguel E. Torrez
Douglas M. Trent
Roberto N. Trevino
Kristofer A. Tsairis
Christopher B. Tuckey
Matthew S. Tuohy
Jorge L. Valente
Benjamin J. Velazquez
David B. Vicks
Brett R. Walter
Matthew J. Walter
Benjamin M. Walton
Molly K. Waters
Ryan A. Waters
Douglas D. Watson
Justin L. Westmiller
Shannon M. Whitaker
Neil A. White
Robert S. Whiteside
Carl A. Wilson
Charles K. Wilson
Eric J. Wilson
Christopher Wolfer
Dana L. Woodall
Nicholas S. Worst
Damian Yemma
Israel J. Young
Russell R. Zuckerman

DEPARTMENT OF LABOR

Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training.

OFFICE OF GOVERNMENT ETHICS

Walter M. Shaub, Jr., of Virginia, to be Director of the Office of Government Ethics for a term of five years.

TENNESSEE VALLEY AUTHORITY

Joe H. Ritch, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2016.

Michael McWherter, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2016.

Vera Lynn Evans, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2017.

C. Peter Mahurin, of Kentucky, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2016.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Beth J. Rosenberg, of Massachusetts, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

Mr. REID. I ask unanimous consent that the Senate proceed to consider the following nominations under the Privileged section of the Executive Calendar: PN 2068, 1566, 1934, 1939, 1945, 1796, 1926, 1927; that the nominations be confirmed, the motions to reconsider be made and laid upon the table with no intervening action or debate; that no further motions be made in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

MILLENNIUM CHALLENGE CORPORATION

Morton H. Halperin, of the District of Columbia, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of three years.

NATIONAL COUNCIL ON THE ARTS

Maria Lopez De Leon, of Texas, to be a Member of the National Council on the Arts for a term expiring September 3, 2018.

Bruce Carter, of Florida, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

Stewart M. De Soto, of Illinois, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2016.

UNITED STATES INSTITUTE OF PEACE

Joseph Eldridge, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

NATIONAL COUNCIL ON THE HOMELESS

Camila Ann Alire, of Colorado, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

William Shaw McDermott, of Massachusetts, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2017.

Nina Mitchell Wells, of New Jersey, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2018.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The majority leader.

CLARIFYING THAT ACCOUNTS IN THE THRIFT SAVINGS FUND ARE SUBJECT TO CERTAIN FEDERAL TAX LEVIES

Mr. REID. Mr. President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of H.R. 4365 and the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4365) to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 4365) was ordered to a third reading, was read the third time, and passed.

WAIVER OF PARCHMENT PRINTING

Mr. REID. I ask unanimous consent that the Senate proceed to H. Con. Res. 147.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 147) waiving the requirement that measures enrolled during the remainder of the One Hundred Twelfth Congress be printed on parchment.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 147) was agreed to.

ORDERS FOR WEDNESDAY, JANUARY 2, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 p.m. tomorrow, January 2, 2013; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business until 1:30 p.m. for debate only with Senators permitted to speak for up to 10 minutes each.

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

EXPRESSION OF THANKS

Mr. REID. Mr. President, first of all, I appreciate everyone, including the Presiding Officers we have had over the last few days, and everyone, especially the staff who have been working so hard. Everyone is just as tired as I am, I am sure. So I appreciate very much the hard work, and I hope tomorrow will go well.

ADJOURNMENT UNTIL TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 5:58 p.m., adjourned until Wednesday, January 2, 2013, at 12 noon.

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

FOREIGN SERVICE NOMINATION OF GARY T. GREENE.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH PHILIP S. GOLDBERG AND ENDING WITH ROBERT W. WEITZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

FOREIGN SERVICE NOMINATION OF MICHAEL R. HARDEGEN.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JAMES J. HIGGISTON AND ENDING WITH ERIC A. WENBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH STEPHEN J. GONYEA AND ENDING WITH KATHARINE ANTONIA WEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DAVID E. ECKERSON AND ENDING WITH CLINTON DAVID WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KARL MILLER ADAM AND ENDING WITH MARK K. YANG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

YVONNE BRATHWAITE BURKE, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

MIGNON L. CLYBURN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2012.

POLLY ELLEN TROTTENBERG, OF MARYLAND, TO BE UNDER SECRETARY OF TRANSPORTATION FOR POLICY.

JOSHUA D. WRIGHT, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2012.

MARK DOMS, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR ECONOMIC AFFAIRS.

CHRISTOPHER R. BEALL, OF OKLAHOMA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

COAST GUARD NOMINATIONS BEGINNING WITH BRIGID M. PAVILONIS AND ENDING WITH VICTORIA C. FUTCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH BARBARA A. ANDERSON AND ENDING WITH KENNETH G. STEFANISIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012 .

COAST GUARD NOMINATIONS BEGINNING WITH CHARLES G. ALCOCK AND ENDING WITH STEVEN P. WITTROCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH MATTHEW P. BARKER AND ENDING WITH ANDREW J. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH CAPT. PETER J. BROWN AND ENDING WITH CAPT. JOSEPH M. VOJVODICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 14, 2012.

COAST GUARD RESERVE NOMINATIONS BEGINNING WITH ROBERT T. HANLEY AND ENDING WITH DIRK A. STRINGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 5, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH AUSTIN L. ADCOCK AND ENDING WITH RUSSELL R. ZUCKERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 5, 2012.

The Senate Committee on Veterans' Affairs was discharged from further consideration of the following nomination by unanimous consent and the nomination was held at the desk:

KEITH KELLY, OF MONTANA, TO BE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

KEITH KELLY, OF MONTANA, TO BE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

WALTER M. SHAUB, JR., OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS FOR A TERM OF FIVE YEARS.

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

C. PETER MAHURIN, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2016.

BETH J. ROSENBERG, OF MASSACHUSETTS, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

VERA LYNN EVANS, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2017.

MICHAEL MCWHERTER, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2016.

JOE H. RITCH, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2016.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 1, 2013:

DEPARTMENT OF THE TREASURY

RICHARD B. BERNER, OF MASSACHUSETTS, TO BE DIRECTOR, OFFICE OF FINANCIAL RESEARCH, DEPARTMENT OF THE TREASURY, FOR A TERM OF SIX YEARS.

FEDERAL MARITIME COMMISSION

WILLIAM P. DOYLE, OF PENNSYLVANIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2013.

DEPARTMENT OF TRANSPORTATION

MICHAEL PETER HUERTA, OF THE DISTRICT OF COLUMBIA, TO BE ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION FOR THE TERM OF FIVE YEARS.

OVERSEAS PRIVATE INVESTMENT CORPORATION

JAMES M. DEMERS, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2014.

NAOMI A. WALKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2012.

STATE JUSTICE INSTITUTE

JONATHAN LIPPMAN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2012.

JONATHAN LIPPMAN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2015.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARIA ROSARIO JACKSON, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

NATIONAL INSTITUTE OF BUILDING SCIENCES

JOSEPH BYRNE DONOVAN, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2013.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

BRUCE R. SIEVERS, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

DEPARTMENT OF JUSTICE

ANGELA TAMMY DICKINSON, OF MISSOURI, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203:

To be brigadier general

COLONEL STEPHEN J. LINSENMEYER, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. CALVIN H. ELAM

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE

OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. MARK E. BARTMAN
BRIG. GEN. STANLEY J. OSSERMAN, JR.
BRIG. GEN. THOMAS A. THOMAS, JR.
BRIG. GEN. ERIC G. WELLER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL GLEN M. BAKER
COLONEL JEFFREY D. BUCKLEY
COLONEL ANTHONY J. CARRELLI
COLONEL TIMOTHY J. CATHCART
COLONEL ANDREW J. DONNELLY
COLONEL HAROLD S. EGGENSPERGER
COLONEL JAMES O. EIFERT
COLONEL BRYAN P. FOX
COLONEL RICKY D. GIBNEY
COLONEL CHRISTOPHER A. HEGARTY
COLONEL JOHN P. HRONEK II
COLONEL PAUL HUTCHINSON
COLONEL KEVIN J. KEEHN
COLONEL CHRISTOPHER J. KNAPP
COLONEL MICHAEL E. MANNING
COLONEL CLAYTON W. MOUSHON
COLONEL MICHAEL A. NOLAN
COLONEL MICHAEL L. OGLE
COLONEL RONALD E. PAUL
COLONEL SAMUEL H. RAMSAY III
COLONEL WILLIAM B. RICHY
COLONEL ADALBERTO RIVERA
COLONEL SAMI D. SAID
COLONEL ANTHONY E. SCHIAVI
COLONEL JOHN D. SLOCUM
COLONEL RONALD W. SOLBERG

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KENNETH E. FLOYD

AFRICAN DEVELOPMENT FOUNDATION

EDWARD W. BREHM, OF MINNESOTA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2017.

IQBAL PAROO, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2017.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

T. CHARLES COOPER, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF JUSTICE

PATRICK J. WILKERSON, OF OKLAHOMA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS.

LOUISE W. KELTON, OF TENNESSEE, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS.

MILLENNIUM CHALLENGE CORPORATION

LORNE W. CRANER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LORI J. ROBINSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GREGORY A. BISCONE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. LISA A. NAFTZGER-KANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL WILLIAM B. BINGER
BRIGADIER GENERAL KEITH D. KRIES
BRIGADIER GENERAL MARYANNE MILLER
BRIGADIER GENERAL JANE C. ROHR
BRIGADIER GENERAL PATRICIA A. ROSE
BRIGADIER GENERAL JOCELYN M. SENG
BRIGADIER GENERAL SHEILA ZUEHLKE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIGADIER GENERAL PAUL L. AYERS
BRIGADIER GENERAL JIM C. CHOW
BRIGADIER GENERAL GREGORY L. FERGUSON
BRIGADIER GENERAL ANTHONY P. GERMAN
BRIGADIER GENERAL RICKIE B. MATTSON
BRIGADIER GENERAL JOHN E. MCCOY
BRIGADIER GENERAL JOHN E. MURPHY
BRIGADIER GENERAL BRIAN G. NEAL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COLONEL STEPHANIE A. GASS
COLONEL MARY H. HITTMEIER
COLONEL TIMOTHY P. KELLY
COLONEL THOMAS E. KITTLER
COLONEL KENNETH R. LAPIERRE
COLONEL MARK L. LOEBEN
COLONEL JAMES F. MACKEY
COLONEL WALTER J. SAMS
COLONEL CHRISTOPER F. SKOMARS
COLONEL WADE R. SMITH
COLONEL MARK D. STILLWAGON
COLONEL CURTIS L. WILLIAMS

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, AIR NATIONAL GUARD, AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10506:

To be lieutenant general

LT. GEN. STANLEY E. CLARKE III

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JODY J. DANIELS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BERNARD S. CHAMPOUX

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. MICHAEL L. SCHOLES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL CHRISTOPHER S. BALLARD
COLONEL DAVID G. BASSETT
COLONEL DONALD C. BOLDUC
COLONEL EDWARD M. DALY
COLONEL MALCOLM B. FROST
COLONEL DONALD G. FRYC
COLONEL ANTHONY C. FUNKHOUSER
COLONEL PETER A. GALLAGHER
COLONEL WILLIAM K. GAYLER
COLONEL MARK W. GILLETTE
COLONEL DAVID B. HAIGHT
COLONEL JOSEPH P. HARRINGTON
COLONEL MICHAEL L. HOWARD
COLONEL JOHN P. JOHNSON
COLONEL JAMES E. KRAFT, JR.
COLONEL MICHAEL E. KURILLA
COLONEL PAUL J. LAUGHLIN II
COLONEL JOSEPH M. MARTIN
COLONEL TERRENCE J. MCKENRICK
COLONEL CHRISTOPHER P. MCPADDEN
COLONEL JOHN E. O'NEIL
COLONEL MARK J. O'NEIL
COLONEL ANDREW P. POPPAS
COLONEL JAMES E. RAINEY
COLONEL KENT D. SAVRE
COLONEL WILSON A. SHOFFNER, JR.
COLONEL MARK S. SPINDLER
COLONEL SEAN P. SWINDELL
COLONEL RANDY S. TAYLOR
COLONEL JOHN C. THOMSON III
COLONEL LEON N. THURGOOD
COLONEL FLEM B. WALKER, JR.
COLONEL ROBERT P. WALTERS, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RANDOLPH L. MAHR

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEVEN A. HUMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RICHARD T. TRYON

UNITED STATES TAX COURT

ALBERT G. LAUBER, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR THE TERM OF FIFTEEN YEARS.

THE JUDICIARY

RONALD LEE BUCH, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DAVID MASUMOTO, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018.

RAMON SALDIVAR, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

WILLIAM J. MIELKE, OF WISCONSIN, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.

ARTHUR H. SULZER, OF PENNSYLVANIA, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.

UNITED STATES INSTITUTE OF PEACE

GEORGE E. MOOSE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

CAMILA ANN ALIRE, OF COLORADO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

WILLIAM SHAW MCDERMOTT, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING NOVEMBER 22, 2017.

NINA MITCHELL WELLS, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2018.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH DEMEA A. ALDERMAN AND ENDING WITH FELISA L. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH MATTHEW W. ALLINSON AND ENDING WITH JEFFREY D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH JOHAN K. AHN AND ENDING WITH JEFFREY S. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 5, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH LAURA A. BRODHAG AND ENDING WITH JOHN D. KLEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH WILLIAM R. BAEZ AND ENDING WITH BRYCE G. WHISLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH JAKE R. ATWOOD AND ENDING WITH MICHAEL R. ZACHAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH KRISTEN J. BEALS AND ENDING WITH JIANZHONG J. ZHANG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH TANSEL ACAR AND ENDING WITH BRANDON H. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH SAMUEL E. AIKELE AND ENDING WITH SCOTT M. ZELASKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH HOMAYOUN R. AHMADIAN AND ENDING WITH JOE X. ZHANG, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

IN THE ARMY

ARMY NOMINATION OF ROBERT W. HANDY, TO BE COLONEL.

ARMY NOMINATION OF JAMES T. SEIDULE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MARK A. NOZAKI AND ENDING WITH MATTHEW D. RAMSEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER J. CUMMINGS AND ENDING WITH RANDOLPH O. PETGRAVE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

ARMY NOMINATIONS BEGINNING WITH ANTHONY C. ADOLPH AND ENDING WITH SEAN M. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

ARMY NOMINATIONS BEGINNING WITH RONALD L. BAKER AND ENDING WITH MICHAEL T. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

ARMY NOMINATIONS BEGINNING WITH TERRY L. ANDERSON AND ENDING WITH G001094, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

ARMY NOMINATIONS BEGINNING WITH JOSE L. AGUILAR AND ENDING WITH D005615, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

ARMY NOMINATION OF MICHAEL D. SHORTT, TO BE MAJOR.

ARMY NOMINATION OF DELNORA L. ERICKSON, TO BE MAJOR.

ARMY NOMINATION OF RONALD D. LAIN, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MATTHEW J. BURINSKAS, TO BE COLONEL.

ARMY NOMINATION OF RONALD G. COOK, TO BE COLONEL.

ARMY NOMINATION OF DAVID A. CORTESE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF CHARLES J. ROMERO, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MICHAEL D. DO AND ENDING WITH GREGORY S. SEESE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 5, 2012.

ARMY NOMINATIONS BEGINNING WITH DEEPTI S. CHITNIS AND ENDING WITH GIA K. YI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 10, 2012.

ARMY NOMINATIONS BEGINNING WITH KARIN R. BILYARD AND ENDING WITH BETHANY S. ZARNDT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 10, 2012.

ARMY NOMINATIONS BEGINNING WITH JAMES E. ANDREWS II AND ENDING WITH D010617, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 10, 2012.

ARMY NOMINATIONS BEGINNING WITH JACOB W. AARONSON AND ENDING WITH DAVID W. WOLKEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 10, 2012.

ARMY NOMINATIONS BEGINNING WITH SILAS C. ABRENICA AND ENDING WITH KEVIN M. ZEEB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 10, 2012.

ARMY NOMINATIONS BEGINNING WITH LOVIE L. ABRAHAM AND ENDING WITH VICKEE L. WOLCOTT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 10, 2012.

ARMY NOMINATION OF ALFRED C. ANDERSON, TO BE MAJOR.

ARMY NOMINATION OF DEANNA R. BEECH, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH SHRRELL L. BYARD AND ENDING WITH SOO B. KIM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

ARMY NOMINATIONS BEGINNING WITH DONALD E. LAYNE AND ENDING WITH JOSEPH F. SUCHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 17, 2012.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH DAVID SAMMETT AND ENDING WITH TIMOTHY R. DURKIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY R. ANDERSON AND ENDING WITH GEORGE B. WATKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

NAVY NOMINATION OF JOHN T. VOLPE, TO BE COMMANDER.

NAVY NOMINATION OF TAMARA M. SORENSEN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JOSEPH N. KENAN, TO BE LIEUTENANT COMMANDER.

BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

STEWART M. DE SOTO, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING AUGUST 11, 2016.

MILLENNIUM CHALLENGE CORPORATION

MORTON H. HALPERIN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARIA LOPEZ DE LEON, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

BRUCE CARTER, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018.

UNITED STATES INSTITUTE OF PEACE

JOSEPH ELDRIDGE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS.

AMTRAK BOARD OF DIRECTORS

YVONNE BRATHWAITE BURKE, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

CHRISTOPHER R. BEALL, OF OKLAHOMA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH BRIGID M. PAVILONIS AND ENDING WITH VICTORIA C. FUTCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH BARBARA A. ANDERSON AND ENDING WITH KENNETH G. STEFANISIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH CHARLES G. ALCOCK AND ENDING WITH STEVEN P. WITTROCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH MATTHEW P. BARKER AND ENDING WITH ANDREW J. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH CAPT. PETER J. BROWN AND ENDING WITH CAPT. JOSEPH M. VOJVODICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 14, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH AUSTIN L. ADCOCK AND ENDING WITH RUSSELL R. ZUCKERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 5, 2012.

COAST GUARD RESERVE

COAST GUARD RESERVE NOMINATIONS BEGINNING WITH ROBERT T. HANLEY AND ENDING WITH DIRK A. STRINGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 5, 2012.

DEPARTMENT OF COMMERCE

MARK DOMS, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR ECONOMIC AFFAIRS.

DEPARTMENT OF TRANSPORTATION

POLLY ELLEN TROTTENBERG, OF MARYLAND, TO BE UNDER SECRETARY OF TRANSPORTATION FOR POLICY.

FEDERAL COMMUNICATIONS COMMISSION

MIGNON L. CLYBURN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2012.

FEDERAL TRADE COMMISSION

JOSHUA D. WRIGHT, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2012.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

BETH J. ROSENBERG, OF MASSACHUSETTS, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

TENNESSEE VALLEY AUTHORITY

C. PETER MAHURIN, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2016.

VERA LYNN EVANS, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2017.

MICHAEL MCWHERTER, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2016.

JOE H. RITCH, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2016.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF GARY T. GREENE.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH PHILIP S. GOLDBERG AND ENDING WITH ROBERT W. WEITZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2012.

FOREIGN SERVICE NOMINATION OF MICHAEL R. HARDEGEN.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JAMES J. HIGGISTON AND ENDING WITH ERIC A. WENBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH STEPHEN J. GONYEA AND ENDING WITH KATHARINE ANTONIA WEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DAVID E. ECKERSON AND ENDING WITH CLINTON DAVID WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KARL MILLER ADAM AND ENDING WITH MARK K. YANG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 27, 2012.

OFFICE OF GOVERNMENT ETHICS

WALTER M. SHAUB, JR., OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS FOR A TERM OF FIVE YEARS.

DEPARTMENT OF LABOR

KEITH KELLY, OF MONTANA, TO BE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.

EXTENSIONS OF REMARKS

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. HOLT. Madam Speaker, I regret that this bill, like so many of its predecessors over the past several years, does nothing to address some the urgent need for real reform in our intelligence community.

I am particularly troubled by the failure of this bill to address the deepening militarization of the Central Intelligence Agency, a process that began long ago but that has accelerated dramatically in the post–9/11 era.

Throughout most of its history, the CIA has—at the direction of successive presidents—veered between two organizational paths. The first, and the proper one, is for the CIA to do what President Truman intended when he created it: to collect information about the world around us, synthesize and analyze that data, and provide it to the executive and the legislature for their information and action, as appropriate. The other path—the one that has caused the CIA and our Nation so much grief—is the path of militarized covert, and not-so-covert, action.

Today, it is manifested in a quasi-publicly acknowledged CIA assassination-by-drone campaign on which the Administration has refused to provide information, despite my own request and the request of many other House and Senate members for the information. In the previous decade, we saw what happened when lines of responsibility and accountability for secret programs were fuzzy or not observed. The result was a detainee and interrogation program that was a national embarrassment morally, and an albatross politically with our allies around the world. The not-so-covert ''drone wars'' are on a similar glide path, and this bill does nothing to provide a much-needed course correction for the policy.

This state of affairs is all the more regrettable because there are many dedicated professionals working in the CIA and elsewhere in our intelligence community who are forced to implement these questionable programs and policies. Some would agree with me that the entire enterprise is out of control and would benefit from much more focused and effective Congressional oversight. If this bill contained whistleblower protections for intelligence community employees, some of those individuals might well step forward to report what they know, and what they believe needs to be changed. But this bill contains no such protections, ensuring that the chilling threat of job retaliation remains in place. We will not restore true accountability and oversight over the intelligence community until such reforms are enacted, and which are absent from this bill. Accordingly, I cannot support it.

H.R. 1464, THE NORTH KOREA REFUGEE ADOPTION ACT

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 1, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise as a cosponsor of H.R. 1464, the North Korea Refugee Adoption Act, and to thank Mr. ROYCE and Ranking Member BERMAN for their efforts on this important bi-partisan bill.

This measure was introduced to assist North Korean children living ''stateless'' outside of that country who face starvation and neglect because they are neither North Korean citizens nor citizens of the country where they currently reside. Many of these children have Chinese fathers and North Korean mothers but are not claimed by either parent, and being stateless, don't have access to the resources of either country.

The bill encourages the Homeland and State Departments to develop strategies to help reunite North Korean refugee children with their families or to facilitate the adoption of the children by citizens of South Korea, China or other countries. In the Senate, the bill was amended to require the Secretary of State to designate a representative to regularly brief the Congress on U.S. efforts to advocate for the best interests of North Korean children.

There are many American families who would love to give a home to these orphans and refugee children if they could. This bill will help to facilitate that process. I encourage my colleagues to join me in support of the bill.

ON THE PASSING OF RABBI IRWIN GRONER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 1, 2013

Mr. LEVIN. Mr. Speaker, today funeral services are being held at the Congregation Shaarey Zedek in Southfield, Michigan for its beloved, esteemed Rabbi, Irwin Groner.

Rabbi Groner served the congregation for over 50 years. He became a continuing source of wisdom and warmth of personality for numerous thousands as he served in various positions in the Jewish community in metropolitan Detroit and beyond. He was active in promoting good will among all faiths in metropolitan Detroit.

His written works will continue to spread his words of wisdom in books of his sermons and his publications on Torah. Also persevering will be the feelings of the deepest affection among all of us blessed by his friendship.

In his words: ''Our congregation has prayed together, wept together, rejoiced together, failed together and achieved together.''

Today his congregation and all privileged to know him join in tears for his passing and in prayers of gratitude for his life.

Our heartfelt condolences go to his wife Leypsa and the entire Groner family.

MY FAREWELL SPEECH

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 1, 2013

Mr. STEARNS. Mr. Speaker, as I close my 24 years in Congress I wanted to take an opportunity to express my sentiments in two areas; one) the continued bailouts that have occurred and the continued Keynesian resolution to all our economic problems and two) what should be done to get our budget and subsequent deficits under control.

With the recent bailouts in Congress Americans are wondering if Capitalism works. And when is the next bust going to happen. Having voted against the TARP for Wall Street and the huge Stimulus package, I am wondering the same thing. Do we have to deflate our money every time there is a crisis with the Federal Reserve stepping in by printing huge sums of money and transferring it to the Treasury Department, they then hand it out to businesses that they deem important and necessary? Congress has no say so in this matter once the bill is passed. There are rarely any safeguards with the legislation and complete cart blanche authority is given to these two government agencies, which is down right awful. Mr. Paulson changed his strategy from buying the toxic loans to bailout Wall Street firms and banks. Then the 15 largest banks that received this money were the same ones that made money off the sale on packaging of these financial devices that get bail out because they are considered to big to fail. Rubbish.

But what is the pretext for these bailouts? It is Keynesian economics. His mantra of ''But we only owe it to ourselves!'' is the password for all economic theory. We did in every major financial crisis in America and England also. The government becomes almighty. His ideas have become the basis for socialistic governments around the world. To get the economy moving again, Keynes taught, it was the responsibility of government to create full employment, even if it had to borrow money and assume huge debt to do so. Rather than get rid of the problems that created the economic depression, greed, corruption and incompetence and then allowing the markets to work and punish those folks who caused the problems; these folks get bailed out. Why? Because of Keynesian economics and political might. Those at the levers of power are generally connected to Wall Street or big financial institutions. Again contrary to basic business logic.

Although excessive government spending and mounting public debt appear to provide some good in the short term, but in the long term, Keynesian economics only make things worse and create grounds for the inevitable

collapse of any country again. Keynes had an answer for this when he said, ''In the long term, we are all dead.'' In all my 20 years in Congress we have never seriously tried to reduce debt or reduce the deficit even under Republican control. Yet this colossal public debt is hurting our sovereignty and will eventually move us to a one-world government. Even with the TARP bailout we had to bailout Chinese banks including European banks. Globalism creates interdependence, which creates a crisis everywhere. Is it the responsibility of the Government to prime the economic pump? What is good for a family surely must be good for a nation. What would a family do in an economic crisis? Just the opposite to what Congress and the Administration did. They reduce spending and become more productive. They would not take on more debt. And they would look for other ways to not just save money but also increase the revenue to the family. Take another job or become more efficient and if there was incompetence or corruption involved. Put those individuals in jail and allow their businesses to go bankrupt. Do not reward bad business decisions. But we have done just the opposite with these bailouts. Giving money to financial institutions that created the problem with no supervision or controls. As the Inspector General for the Treasury Dept. recent report has indicated. Half of the money given out is unaccounted for and there again are incidents of corruption. The Government spends taxpayer's money to do what they think is in the best interest of those in power. A sad commentary.

So what is Keynesian economics? Simply said it is that the government has all the answers! It can create something out of nothing, that is, prosperity. Or said another way, the government is the almighty. That is Keynesian economics. And how do we solve the mounting debt we build up to cover the deficit stimulus spending? They tell us by rising population and controlled inflation. But, abortion is legal in America and therefore we cannot count on the rise of population. On inflation, few management systems, including dictatorships, have been able to control inflation. So where will the money come from to pay this debt? To make the borrowing possible, all nations will be tied together to create a world bank to set up an international economic construct. Keynesian economics has put this construct together so that in the very near future we will have international control of our banking system.

So what is the alternative solution? Yes there is a predictive business cycle but built into the economy there are factors that could pull an economy upward from depression and recessions. During these times, savings would rise and therefore interest rates would fall, making money available for industry to expand thereby helping to create jobs. The economy would slowly rise and with it interest rates, which would cause the economy to eventually weaken. So the cycle would continue. Keynes did not believe this would work and that a nation would remain in a depression. He said that at the bottom of the business cycle there would not be enough savings to reduce interest rates and cause the cycle to move up again. The static values of savings and investment would not work. The business investment and enterprise could not be depended to work. There was no constant guarantee of an upward movement of the economy. He believe there needed to be a tonic, a catalyst, to get the economy moving again. That tonic was planned government investment.

Did a family need that to pull themselves up? No. So why would a nation. Keynes created a permanent condition of government borrowing and deficit spending. In fact that became the recommended course of action for all nations. People must abandon the insane idea that they can borrow their way out of bankruptcy.

My second reason for speaking tonight is on what is the solution to our continuing budget deficits.

After twenty-four years I have seen it all. The fake budgets and the competing fake budgets. The President in every administration in which I served has not offered a real balanced budget, which included Social Security, Medicare and Medicaid.

I think again we should go back to what Thomas Jefferson said in 1798:

> I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of Constitution. I mean an additional article, taking from the federal government the power of borrowing.

We have had a war in Iraq and President Bush did not put the war effort on budget but instead just offered supplemental spending amendments to cover the cost. This could only be financed by borrowing because the taxpayers would not make the sacrifice to pay for the war so the cost had to be hidden. There were no checks and balances here because the Republicans including myself voted for this spending. But debt will destroy our country. Going back to Jefferson, he reiterated several times that one generation cannot—either morally or in fact—bind another. He stipulated, ''No generation can contract debts greater than may be paid during the course of its own existence.'' And further he said, ''. . . the earth belongs in usufruct (trust) to the living . . . the dead have neither powers nor rights over it.'' If one generation can charge another for its debts, ''then the earth would belong to the dead and not to the living generation.'' Jefferson continued, ''The conclusion then is, that neither the representatives of a nation, nor the whole nation itself assembled, can validly engage debts beyond what they may pay in their own time.'' Madison did not agree and used the example of a large bridge. But Jefferson argued that there could be no exception. Because the power to borrow was too dangerous to allow exceptions—any exceptions would expand to destroy the amendment.

I would strongly argue that the Jefferson amendment is necessary and with the exception of total war, must be paid for by the present generation and even with war the present generation must make sacrifices to pay for the effort.

Another lesson is to limit the power of the federal government through federalism, which I mentioned earlier. This balance between the states, the federal government is the balance that was required to keep the country safe from plutocracy in all its forms and in all its locations—banks, the military, and governments. The destruction of states' rights and the centralization of power unchecked in the federal government have contributed to what is today called the imperial presidency. It was never intended the President could force through his own legislation without Congress's intervening and reaction. Today Congress pretty much follows the President's desires almost as leadership worship. Isn't his job mainly to be sure that the law of the land is enforced and enact a legal foreign policy? And nothing else.

The Framers of our Constitution realize how important the rule of law was and knew how the English monarchs issued the courts to serve their own purposes. They also understood there could be no order without law, no law without morality, and no morality without religion. They were not secular humanist, that is so prevalent in our country today. The President should spend more time in office protecting these laws.

And lastly, I firmly believe we need to sunset many if not all of the government programs and carefully evaluate the good ones and consolidate programs to protect the taxpayers from duplication and waste. Even with Republican revolution, we could not shut down any government programs. In fact when I had amendments to reduce the budget by 1% across the board, it failed. I have even tried to reduce some programs less that 1% and again Congress did not have the courage to even make this reduction. If Congress cannot do this, then a base-closure commission like we did for the military bases should be set up to eliminate and reduce obsolete and unnecessary government programs. Without this type of action, our government continues to grow and the bureaucracy will ultimately be too strong to counteract.

Time and time again I see votes on the House floor that have a wonderful name to them, such as the Habitat for Pelicans, the Protections of Wildlife Reserve, Save Our Water Restoration Act and so on. The pieces of legislation are brought up under what is called suspension, i.e., without going through regular order with no ability to amend them. They pass overwhelmingly because members just assume they are good. But they cost money and when you are operating in a deficit mode, you cannot afford them. But they pass anyway.

Let me close with what we need in all cases is wisdom, which is not specially directed toward Americans but to all countries and to individuals. There are seven demonstrations of these wisdoms, which we should remind ourselves.

This is from Isaiah 11:1–3 and are the gifts of the Holy Spirit.

1. Fear of the Lord
2. Understanding
3. Knowledge
4. Counsel
5. Strength of purpose
6. Piety
7. Humility

These correct actions by an individual are as important as they are for a country. Without these gifts, no country will last or endure.

As I close my career in Congress, I want to thank my family, especially my lovely wife, Joan, for her constant and continued support and all my loyal supporters for their encouragement and good cheer. God Bless America.

URGING EUROPEAN UNION TO DESIGNATE HEZBOLLAH AS A TERRORIST ORGANIZATION

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 31, 2012

Mr. KUCINICH. Mr. Speaker, I challenge the wisdom of House Resolution (H. Res. 834) which urges the governments of Europe and the European Union to designate Hezbollah a terrorist organization and imposes sanctions.

This resolution could have an effect opposite to that which was intended—to strengthen Israel. The UN Security Council Resolution 1701, which called for the end of hostilities between Hezbollah and Israel, is now being enforced by the United Nations Interim Force in Lebanon (UNIFIL) with the participation of European governments. There are reports that Hezbollah has been cooperating with UNIFIL in stabilizing south Lebanon and that the relationships developed are channels for peaceful dialogue in the future.

Asking Europe to designate Hezbollah a terrorist organization could be counter-productive, increase dangers and lessen the effectiveness of European troops in UNIFIL. There will be adverse consequences of the resolution on the situation in south Lebanon.

I have visited the region and have worked to end the conflict between Israel and Lebanon, even as it was starting. I offered a peace plan to try to end the war. I further visited Lebanon and Israel on after the war. I visited an apartment house in Qana, south Lebanon, which had been destroyed by a bomb which killed fifty women and children.

I brought the bomb fragment back from the site and kept it on display in my office, together with three dog tags of kidnapped Israeli soldiers to remind of the great human tragedy of the conflict, and the suffering on all sides.

The passage of this bill means that Congress must take up the responsibility of making sure that the Lebanese army is sufficiently equipped to protect the country.

At this very moment America is roaming the world strenuously involved in promoting the Art of Governing. In Afghanistan, Iraq, Libya, Serbia, Yemen, Pakistan, Somalia and all points north and south, east and west, it is our State Department with its large plans, it is our Central Intelligence Agency with its drone strikes, our military by its active presence, our Defense Intelligence Agency, and our military contractors all of whom are the instructors involved in a show of unparalleled force to display not only American power but to make the case for American exceptionalism.

If the machinations concerning the so-called fiscal cliff mean anything, they illustrate the conceit that somehow we have a right to tell others how to govern their affairs, and use our military to enforce our worldview. What is our case for democracy and cooperation elsewhere, if we have such difficulty practicing it or demonstrating it here at home? Where, with our unemployment, mortgage foreclosures, school closings, pension fund collapses, neighborhood violence, oh where is our showcase of democracy?

For all of our foreign entanglements, our military occupations and preoccupations, our spy-in-the-sky-surveillance, death dealing from drones on high to those who we see as a threat, for all of this—we are not safer.

We may in fact be less safe. There is plenty of evidence to suggest that Al Queda has been strengthened by the US support for military action in Iraq, Afghanistan, Pakistan, Syria, Yemen and by extrajudicial killings through the use of drones which are exacting a high toll on innocent civilians.

John Quincy Adams once said America ''goes not abroad in search of monsters to destroy''. How far we have journeyed from that wise aspiration of a Founding Father?

To paraphrase Shakespeare's Cassius in Julius Caesar: 'We act as a Colossus bestride the narrow world . . . and petty men walk under (our) huge legs.' It is an illusion.

Through our endless interventions, we have lost our way in the wide world, by trying to conquer it. We cannot conquer the world. We cannot rule the world. We cannot be the policeman of the world. We cannot afford it militarily, financially or spiritually. American control of the fate of others in faraway land is an expensive fantasy and can no longer be indulged.

We will spend trillions of dollars in pursuit of a war on terror, which has become like a war against apparitions which shift shapes, loyalties and directions, consumes lives and money and at the end we meet in the distorted mirror of our fears the prophecy of Walt Kelly's Pogo: ''We have met the enemy and he is us.''

The cost of the wars is a threat to our freedom. The money spent for war inevitably comes from pressing domestic needs for job creation, infrastructure rebuilding, education, health care, retirement security. Since 9/11 we have let fear set our priorities and that fear has cost us mightily. It is worth recalling President Eisenhower's full warning about the undermining of freedom which comes from out of control military spending:

''Our toil, resources and livelihood are all involved; so is the very structure of our society. In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists, and will persist. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals so that security and liberty may prosper together.''

The wars have been a disaster for innocent civilians. More than one million innocent Iraqis perished in a war based on lies, a war executed by an American president and vice president who flat out lied to the Congress, lied to the American people, lied to the media and escaped responsibility and accountability because we just moved on.

We will never recover from the tragedy which we wrought upon the people of Iraq, we will never recover from the sordid legacy of torture, rendition, indefinite detention, we will never recover from the effects of 911 unless America has a deep, searching period of Truth and Reconciliation, where the principle decision-makers are required to come before a public tribunal to tell the truth or to face the consequences of their perfidy. We need such a process not only to set straight the historical record, but to remove the dark stain upon the soul of this nation which an unjust war fixes firmly.

There must be a new role for America in the world, where we can work with the community of nations for comprehensive international law enforcement, to assure security abroad, and protection here at home with democratic governance through strengthening our community safety forces.

This is much to be preferred to the architecture of the national security state here at home which increasingly requires American citizens to give up their civil liberties to achieve a measure of security. Big Brother is hard at work in America, assembling huge databases of personal information, warrantless wiretaps, tracking phone calls, emails and internet searches, watching closely with new networks of cameras, new sophisticated drone technology, observing everything but the US Constitution.

Our right to freedom from unreasonable search and seizure has been annihilated through the legal acrobatics of high technology.

It was Benjamin Franklin who wrote ''Those who give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.''

What is outermost in the conduct of our foreign affairs is a reflection of what is innermost in our domestic affairs. And what is innermost in ourselves becomes outermost in our families and our communities. This is the ironclad law of reciprocity in human affairs. It is not simply 'do unto others as you would have them do unto you', but as you do unto others, so you do unto yourself.

It may not be possible for the US to bring peace to anywhere except the U.S.

Peace inside the United States is possible. Peace in our communities, our neighborhoods, our homes is possible. Yet the omnipresence of violence in our society mirrors the violence which the United States visits on nations across the globe.

The fate of humanity is written not large in the sky, but in a cursive across the tablet of our heart. How bold we stand for peace and love in our daily lives informs the strength of the impulse of our hearts to radiate outward to establish new conditions of our existence and in the lives of each person we touch.

The peace we claim for ourselves is the peace we can give to others. But it requires conscious thought in every moment. Peace necessarily involves a structured approach, within our lives, intersecting with the lives of others. An awareness of the consequences of our every action, how it affects us and how it affects others.

This is not a theoretical exercise. For the past 16 years, this Congress has been my human relations workshop in which I have tested ideas of conflict resolution, of standing for truth, of fiercely engaging in debate, of moving forthrightly into partisan debates, of negotiating around partisanship, of alignment with another person on matters of personal interest, of even building friendships from the broken pieces of partisan battles.

We are locked into a cultural matrix of thinking which produces violence and we are shocked when its heartbreaking effects emerge. It's ''Us vs. them'' thinking, the evocation of enemies, whoever they are.

On a global level, this type of thinking justifies war and brings the slaughter of innocents.

Nationally it sows seeds for murder. Yet, war abroad and violence at home are not inevitable. We have it within our power to recreate America today. Are we not the land of the free, the home of the brave? Is there not something uniquely American which gives us the ability to transcend our woes and seek a more perfect union? Even at the darkest moment we Americans can stand bravely for our freedoms. Mindful of our inherent unity, we must break the ''US vs. them'' mindset and move beyond survival mode to security through cooperation.

Let us create an organized structured approach to become architects of a new culture of peace, in our homes, our schools, our workplaces.

This is what the ''Dept. of Peace'' (H.R. 808) is about. Let us establish that America's national security and peace at home includes jobs, housing, physical and mental health care, education, retirement security for all. We are, the land of the free, the home of the brave. Freedom and bravery, courage and democracy are our birthright, our inheritance, our destiny.

And let us not propagate to Europe and the European community the fears which have infected this county. The Scriptures bid us to make peace with our brothers and sisters. This is the higher calling for the United States. This should be our new raison d'être in the world and at home. God Bless America.

2013 NATIONAL DEFENSE AUTHORIZATION ACT

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 1, 2013

Mr. CROWLEY. Mr. Speaker, I rise to support the provisions of the 2013 National Defense Authorization Act that ban the overseas transport of a minor for the purposes of female genital mutilation, or FGM.

This language mirrors the bipartisan Girls Protection Act, legislation I authored and introduced in the 111th and 112th Congresses.

FGM is an issue that isn't always easy to talk about, and one that has gone on for far too long. According to the World Health Organization, up to 2 million girls—or 6,000 per day—are threatened with FGM each year. Here in the United States, studies indicate that all too many girls are under similar threat. The United Nations says that FGM is an ''irreparable, irreversible abuse'' inflicted on women and girls.

I couldn't agree more. So, when some New Yorkers approached me three years ago and told me that girls from my own city were being transported overseas where they were forced to undergo FGM, I knew we needed to take action. Since FGM is illegal in the United States, it should be illegal to transport a minor overseas for the same purpose.

This provision addresses the issue by putting law enforcement on the side of girls. If signed into law, it will never again be acceptable, or legal, to transport a minor from the United States to another country for the purposes of FGM. It will also be illegal to conspire to transport a minor abroad for the purposes of FGM. In fact, if this bill is signed into law, those actions will be a crime. The intent of this legislation is clear—if you plan or participate in the transportation of a minor abroad for so that the minor can undergo FGM, you will have committed a criminal act.

The days of impunity for FGM are now over. Girls who may feel under threat, and families and communities who seek to protect girls from being transported overseas for FGM, will be able to turn to law enforcement for help.

Clearly, there is much more that must be done to address FGM. We need to fund culturally-appropriate outreach and education efforts. We need to work with counselors, teachers and medical providers to ensure they know to help prevent FGM. We need to do everything we can to empower girls. And, efforts should be carried out in consultation with communities where FGM may be prevalent, many of whom have already stepped forward to renounce the practice of FGM. I believe that ultimately these types of efforts are equally as important as instituting a ban on FGM, and we must work to make them a reality here in the United States.

TRIBUTE TO MRS. JULIE ETTA WASHINGTON NANCE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 1, 2013

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute a woman who will be forever known as ''the First Lady of South Carolina State College.'' I was fortunate to know Mrs. Julie Etta Washington Nance since my days on the campus in the late 1950s. She passed away on December 30, 2012, and I know that she will be sorely missed by so many who had the privilege to know her.

Julie Nance was born in 1926, the daughter of J. Irwin Washington, who was South Carolina State College's business manager for 40 years, and Julia Robinson Washington. J. I., as he was called, was my longtime mentor, and I was honored to have a close association with the Washington family throughout my life.

From the time she was born, Julie was connected to South Carolina State College (now University). She lived with her family on the Orangeburg campus and attended Felton Laboratory School, also located there. After graduating from Wilkinson High School, she attended S.C. State and earned her Bachelor of Science degree in elementary education in 1947.

She briefly left Orangeburg to teach first grade in Florence for one year, but returned to Orangeburg to work in the college bookstore and to be closer to the love of her life, M. Maceo Nance, Jr. He had been enrolled on the campus in 1942, but joined the U.S. Navy for three years during World War II. He returned to campus after his military service.

The two married in 1950, and lived with her parents on campus until they were able to build their own home next door.

Dr. Nance began his 37-year career at South Carolina State as a supply clerk. As he rose through the ranks on campus, Julie stayed home to raise her two sons, M. Maceo Nance, III and Robert M. Nance, who would later become the District Director for my Congressional office where he has served continuously for the past 20 years.

In 1967, Dr. Nance was named the interim president of South Carolina State during the tumultuous days of the civil rights movement. Shortly after taking office, a protest in front of the campus over a segregated bowling alley turned tragic when law enforcement open fire on the student protestors, killing three young men and wounding nearly two dozen others.

Following the tragedy, Dr. and Mrs. Nance formed the rock that held the campus together. Their strength and compassion united the college, and ultimately, Dr. Nance was rewarded by being named the permanent president of South Carolina State. It was a position he held for 19 years with great distinction.

Julie Nance continued to build on the family atmosphere on the Orangeburg campus. She and her husband often hosted events in their home and at the president's office, where students, faculty and staff could mingle. Julie, known for her elegance and charm, was a tremendous asset to her husband to whom she was married for more than 50 years. During their leadership at S.C. State, the college experienced great growth and increased its influence within the community and the state. After Dr. Nance retired in March 1986, the couple remained two of the college's staunchest supporters.

Mrs. Nance received numerous awards including the Distinguished Alumna Award from South Carolina State University and the Sammie Davis Jr. Life Membership Achievement Award given by the NAACP, of which she was a lifetime member. She also held life memberships in the South Carolina State University Alumni Association and Delta Sigma Theta Sorority Incorporated. She was a member of Williams Chapel A.M.E. Church, the Links, Inc. and an Emeritus member of The Regional Medical Center Foundation Board.

In addition to being the parents of two sons, the couple was also grandparents to two granddaughters, Michelle Nelson and Kimberly Colley; three grandsons, Nicholas Nance, Milligan Nance and Kevin Hunt; and four great-grandchildren, Mya Nelson, Maci Nelson, Madison Hunt and Halie Hunt.

When Mrs. Nance departed this life, she was at home in her longtime Orangeburg residence located on the road that was ceremonially named in 2000 the ''Dr. M. Maceo Nance Jr. Highway'' in honor of her beloved husband.

Mr. Speaker, I ask that you and my colleagues join me in honoring the life and legacy of this remarkable woman. Mrs. Julie Etta Washington Nance's entire life was devoted to South Carolina State College (University). This institution, the Orangeburg community, and the State of South Carolina are much better places because of her leadership and dedication.

HONORING WALTER E. LENCKI

HON. MARY BONO MACK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 1, 2013

Mrs. BONO MACK. Mr. Speaker, I rise today to honor the memory of a great American, my friend, Walter E. Lencki. Sadly, Walt passed away on December 24 of this year at the age of 78. Our nation has lost a true patriot.

Walt dedicated his life to service; to our country, to his community and to the people he loved. Born January 5, 1934 and raised in Chicago, Walt attended Catholic schools and upon graduating enlisted in the U.S. Marine Corps. He served his nation proudly in the Korean conflict and earned the respect of his fellow Marines and his family. After being awarded an honorary discharge from the Corps, he joined his family in relocating to California, where he made his home for many years.

After working briefly in sales, Walt found his true calling and joined the Burbank, California, police force where he quickly rose to the rank of homicide detective. His expertise made him an invaluable instructor to police and other first responders, and he later shared his knowledge as a teacher at several colleges in California.

I came to know Walt when he once again displayed his desire to serve his military comrades and their families by helping to found and organize the Semper Fi #1 Memorial Honor Guard at Riverside Memorial Cemetery in Riverside, California, to honor fallen Veterans who would otherwise not have received the military honors they had earned in service to our nation. Walt served as a charter member of this proud group of Marines, and again used his expertise as a trainer to those who also sought to join this volunteer group.

It was a great honor to support the efforts of Walt and Semper Fi #1 Memorial Honor Guard, and it was clear that Walt's love of country and respect for service was a driving force behind the establishment of this outstanding organization.

Walt is survived by his loving wife, Oksana, who he married in May of 2009 in Portland, Oregon, near the community of Roseberg where he had retired, his children Denise Fejtek and her husband, Paul, Douglas Lencki, and Daniel Lencki and his wife, Renee and his grandson, Ryan and Oksana's son, Nazar Davyda.

I extend my deepest sympathy to Oksana and the entire Lencki family and hope that they will find comfort in the memory of the time they shared with this remarkable man. I ask that my colleagues join me in honoring the memory of this proud Marine and patriotic American. His life of service and devotion to our nation inspired me and countless others, and his legacy will live on in his beloved Marine Corps and his family.

Thank you, Walt, for your service and friendship.

Daily Digest

Highlights

House concurred in the Senate amendments to H.R. 8, American Taxpayer Relief Act of 2012.

Chamber Action

Routine Proceedings, pages S8611–S8636

Measures Passed:

Thrift Savings Fund: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 4365, to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies. **Page S8633**

Printing of Measures Enrolled: Senate agreed to H. Con. Res. 147, waiving the requirement that measures enrolled during the remainder of the One Hundred Twelfth Congress be printed on parchment. **Pages S8633–34**

Nominations Confirmed: Senate confirmed the following nominations:

Albert G. Lauber, of the District of Columbia, to be a Judge of the United States Tax Court for the term of fifteen years.

Ronald Lee Buch, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

Richard B. Berner, of Massachusetts, to be Director, Office of Financial Research, Department of the Treasury, for a term of six years.

Pages S8627–28, S8634–35

Louise W. Kelton, of Tennessee, to be United States Marshal for the Middle District of Tennessee for the term of four years.

William P. Doyle, of Pennsylvania, to be a Federal Maritime Commissioner for the term expiring June 30, 2013.

James M. Demers, of New Hampshire, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2014.

Naomi A. Walker, of the District of Columbia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2012.

C. Peter Mahurin, of Kentucky, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2016. (Prior to this action, Committee on Environment and Public Works was discharged from further consideration.) **Pages S8626, S8633–35**

Edward W. Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2017.

Michael Peter Huerta, of the District of Columbia, to be Administrator of the Federal Aviation Administration for the term of five years.

Patrick J. Wilkerson, of Oklahoma, to be United States Marshal for the Eastern District of Oklahoma for the term of four years.

Yvonne Brathwaite Burke, of California, to be a Director of the Amtrak Board of Directors for a term of five years. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Pages S8626, S8631, S8634–36

Maria Rosario Jackson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

Maria Lopez De Leon, of Texas, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

Joseph Byrne Donovan, of Virginia, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2013.

Bruce R. Sievers, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

Jonathan Lippman, of New York, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2012.

Jonathan Lippman, of New York, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2015.

Walter M. Shaub, Jr., of Virginia, to be Director of the Office of Government Ethics for a term of five years. (Prior to this action, Committee on Homeland

Security and Governmental Affairs was discharged from further consideration.)

Pages S8626, S8633–34, S8636

Mignon L. Clyburn, of South Carolina, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2012. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Pages S8631, S8634, S8636**

Polly Ellen Trottenberg, of Maryland, to be Under Secretary of Transportation for Policy. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Pages S8631, S8634, S8636**

David Masumoto, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2018.

Camila Ann Alire, of Colorado, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

Ramon Saldivar, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

Angela Tammy Dickinson, of Missouri, to be United States Attorney for the Western District of Missouri for the term of four years.

Iqbal Paroo, of Florida, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2017.

William J. Mielke, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Arthur H. Sulzer, of Pennsylvania, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

Joshua D. Wright, of Virginia, to be a Federal Trade Commissioner for the term of seven years from September 26, 2012. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Pages S8626–27, S8631, S8633, S8635

T. Charles Cooper, of Maryland, to be an Assistant Administrator of the United States Agency for International Development.

Mark Doms, of Maryland, to be Under Secretary of Commerce for Economic Affairs. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Pages S8626, S8631, S8634–36

Christopher R. Beall, of Oklahoma, to be a Director of the Amtrak Board of Directors for a term of five years. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Pages S8631, S8634, S8636**

William Shaw McDermott, of Massachusetts, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2017.

Nina Mitchell Wells, of New Jersey, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2018.

Lorne W. Craner, of Virginia, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of two years.

Bruce Carter, of Florida, to be a Member of the National Council on the Arts for a term expiring September 3, 2018.

Stewart M. De Soto, of Illinois, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2016.

Joseph Eldridge, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

George E. Moose, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training. (Prior to this action, Committee on Veterans' Affairs was discharged from further consideration.)

Pages S8626–27, S8633–36

Beth J. Rosenberg, of Massachusetts, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years. (Prior to this action, Committee on Environment and Public Works was discharged from further consideration.)

Pages S8633, S8636

Vera Lynn Evans, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2017. (Prior to this action, Committee on Environment and Public Works was discharged from further consideration.) **Pages S8633–34, S8636**

Michael McWherter, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2016. (Prior to this action, Committee on Environment and Public Works was discharged from further consideration.) **Pages S8633–34, S8636**

Joe H. Ritch, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2016. (Prior to this action, Committee on Environment and Public Works was discharged from further consideration.)

Pages S8633–34, S8636

Morton H. Halperin, of the District of Columbia, to be a Member of the Board of Directors of the Millennium Challenge Corporation for a term of three years.

63 Air Force nominations in the rank of general.

36 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy. **Pages S8626–28, S8633–36**

Coast Guard and Coast Guard Reserve (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Page S8634**

Foreign Service (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Pages S8628, S8634**

Messages from the House: **Page S8625**

Measures Referred: **Page S8625**

Measures Placed on the Calendar: **Pages S8611, S8626**

Enrolled Bills Presented: **Page S8626**

Adjournment: Senate convened at 2 p.m. and adjourned at 5:58 p.m., until 12:00 p.m. on Wednesday, January 2, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8634.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 4 public bills, H.R. 6726–6729 and 1 resolution, H. Con. Res. 147 were introduced. **Page H7565**

Additional Cosponsors: **Page H7566**

Reports Filed: Reports were filed today as follows:

Activities of the House Committee on Oversight and Government Reform, One Hundred and Twelfth Congress, Second Session (H. Rept. 112–740) and

H. Res. 844, providing for consideration of the Senate amendments to the bill (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, and for other purposes (H. Rept. 112–741). **Page H7565**

Speaker: Read a letter from the Speaker wherein he appointed Representative Dold to act as Speaker pro tempore for today. **Page H7517**

North Korean Refugee Adoption Act of 2012: The House agreed to take from the Speaker's table and concur in the Senate amendments to H.R. 1464, to develop a strategy for assisting stateless children from North Korea. **Pages H7520–21**

Agreed to amend the title so as to read: "To express the sense of Congress regarding North Korean children and children of one North Korean parent and to require the Department of State regularly to brief appropriate congressional committees on efforts to advocate for and develop a strategy to provide assistance in the best interest of these children.". **Page H7521**

Waiving the Requirement That Measures Enrolled During the Remainder of the One Hundred Twelfth Congress be Printed on Parchment: The House agreed to H. Con. Res. 147, to waive the requirement that measures enrolled during the remainder of the One Hundred Twelfth Congress be printed on parchment. **Page H7521**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Preventing the 2013 Pay Adjustment for Members of Congress and Persons Holding Other Offices or Positions in the Federal Government From Being Made: H.R. 6726, to prevent the 2013 pay adjustment for Members of Congress and persons holding other offices or positions in the Federal Government from being made, by a ⅔ yea-and-nay vote of 287 yeas to 129 nays, Roll No. 655; **Pages H7521–27, H7529**

Lieutenant Ryan Patrick Jones Post Office Designation Act: S. 3662, to designate the facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, as the "Lieutenant Ryan Patrick Jones Post Office Building"; and **Pages H7527–28**

Captain Rhett W. Schiller Post Office Designation Act: S. 3630, to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the "Captain Rhett W. Schiller Post Office". **Page H7528**

Making a Technical Correction to the Flood Disaster Protection Act of 1973: The House agreed to discharge from committee and pass S. 3677, to make

a technical correction to the Flood Disaster Protection Act of 1973. **Pages H7528–29**

Recess: The House recessed at 1:23 p.m. and reconvened at 6:30 p.m. **Page H7529**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated yesterday, December 31, 2012:

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, by a ⅔ yea-and-nay vote of 410 yeas to 5 nays, Roll No. 656; **Page H7530**

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; **Page H7560**

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; **Page H7560**

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 **Page H7560**

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. **Page H7560**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Sunday, December 30, 2012:

Drywall Safety Act of 2012: Concur in the Senate amendment to H.R. 4212, to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, and to ensure that problematic drywall removed from homes is not reused, by a ⅔ recorded vote of 378 ayes to 37 noes, Roll No. 657; **Pages H7530–31**

Granting the Consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding: S.J. Res. 44, to grant the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding; **Page H7559**

Clothe a Homeless Hero Act: Concur in the Senate amendment to H.R. 6328, to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations; **Page H7559**

Uninterrupted Scholars Act: S. 3472, to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act; **Page H7559**

Foreign and Economic Espionage Penalty Enhancement Act of 2012: Concur in the Senate amendment to H.R. 6029, to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage; **Page H7559**

Correcting and Improving Certain Provisions of the Leahy-Smith America Invents Act and Title 35, United States Code: Concur in the Senate amendment to H.R. 6621, to correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code; **Page H7559**

Intercountry Adoption Universal Accreditation Act of 2012: S. 3331, to provide for universal intercountry adoption accreditation standards; and **Page H7559**

Department of State Rewards Program Update and Technical Corrections Act of 2012: S. 2318, to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals. **Pages H7559–60**

Recess: The House recessed at 7:15 p.m. and reconvened at 8:39 p.m. **Page H7531**

American Taxpayer Relief Act of 2012: The House concurred in the Senate amendments to 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 a recorded vote of 257 yeas to 167 nays, Roll No. 659. **Pages H7531–59**

H. Res. 844, the rule providing for consideration of the Senate amendments, was agreed to by a yea-and-nay vote of 408 yeas to 10 nays, Roll No. 658, after the previous question was ordered without objection. **Pages H7531–36**

Senate Messages: Message received from the Senate today and a message received from the Senate by the Clerk and subsequently presented to the House today appear on pages H7517, and H7531.

Senate Referral: S. 302 was held at the desk.

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H7529, H7530, H7530–31, H7535–36, H7558–59. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 11:58 p.m.

Committee Meeting

JOB PROTECTION AND RECESSION PREVENTION ACT OF 2012—CONCUR IN SENATE AMENDMENTS

Committee on Rules: Full Committee held a hearing on a motion to concur in the Senate Amendments to H.R. 8, the Job Protection and Recession Prevention Act of 2012 (American Taxpayer Relief Act of 2012). The Committee granted, by voice vote, a rule providing for the consideration of the Senate amendments to H.R. 8. The rule makes in order a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendments to H.R. 8. The rule waives all points of order against consideration of the motion and the Senate amendments. The rule provides that the Senate amendments and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule provides that the previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 2, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No meetings are scheduled.

Next Meeting of the SENATE

12 p.m., Wednesday, January 2

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business until 1:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, January 2

House Chamber

Program for Wednesday: To be announced.

Extensions of Remarks, as inserted in the issue

HOUSE

Bono Mack, Mary, Calif., E2030
Clyburn, James E., S.C., E2030
Crowley, Joseph, N.Y., E2030
Holt, Rush D., N.J., E2027
Kucinich, Dennis J., Ohio, E2029
Levin, Sander M., Mich., E2027
Stearns, Cliff, Fla., E2027
Van Hollen, Chris, Md., E2027

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