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# Congressional Record

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# House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. RIVERA).

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*January 2, 2013.*

I hereby appoint the Honorable DAVID RIVERA to act as Speaker pro tempore on this day.

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

## MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 3 minutes.

Mr. HOYER. Mr. Speaker, it was to my profound disappointment that I learned last night that the House would adjourn the 112th Congress without providing assistance to the victims of Superstorm Sandy.

I am joined today, Mr. Speaker, by many of my colleagues from the jurisdictions whose people received the most damaging blow. Though my district did not sustain the extreme damage that those in New York, New Jersey and Connecticut did, the President declared several Maryland counties eligible for Federal assistance from this storm, but it was minor, and my citizens are not in dire circumstances; but the citizens of some from whom we will hear today are in that condition.

Those counties joined hundreds in the 1,000-mile diameter of this storm—the largest geographically in the history of the Atlantic hurricanes. Now, at best, the Speaker has said that Sandy's victims will need to wait until the next Congress to receive assistance—Wait, they say, to millions who are in pain and in distress. We should not be waiting. We should be voting this very morning, which I tell you, Mr. Speaker, I expect to happen from my discussions with the majority leader.

As I said last night, I went with Congressman GREG MEEKS to Breezy Point and the Rockaways in New York, and what I saw there in Sandy's aftermath defied description and demanded action. To those who say that FEMA has not yet disbursed all the funds it has to assist families and businesses, I would tell them that they deeply underestimate the damage in these areas and the wide range of assistance required to alleviate the pain and suffering. At Jacob Riis Park, I saw the mountains of debris that the Corps of Engineers had begun to remove from neighborhoods. That debris represents people's lives, homes, and businesses.

With this legislation, we would have provided up to $1.6 billion to the Corps to continue removing debris so that families could begin rebuilding. Would we have had to borrow that money? Yes. Just as if the furnace went out and the temperature were at zero, you would immediately replace the furnace to keep the families safe and borrow the money to do so; and, yes, we would have had to repay it, and we would.

This bill would have allocated $6 million in emergency aid for food banks to make sure that people in the richest country on the face of the Earth have some sustenance for them and their children. I saw an area of Breezy Point where more than 100 homes were devastated by fire when an electric transformer malfunctioned. The many firefighters who lived in that neighborhood could not get additional help from surrounding boroughs due to the severe flooding. They battled mightily and they saved many lives, but there is little left—indeed, none—of their homes.

I saw local businesses, Mr. Speaker, which had been there for years, completely destroyed, waiting for the $620 million in SBA assistance this bill would have provided. We talked a lot about not imposing burdens on small business by additional taxes. These small businesses are out of business without our help. We walk away today from nearly $4 billion in assistance to help reconstruct Rockaway Beach and other places, which is critical to the area's economic recovery and important to prevent further storm damage.

Finally, there is also the toll on transit and infrastructure, including inundated subway and traffic tunnels that were referred to last night. This bill would have provided up to $10.9 billion for transit and $2.2 billion for highways to help make sure that the area is not just cleared of water but repaired. If small businesses are going to be able to operate, it will be because consumers and customers can get to them and get to the schools and get to the hospitals and get to their families.

Waiting to act until later this month when Members were here and ready to vote last night is not the right choice. No Member of this House could travel to the Northeast, see the damage, and tell anyone in those areas to wait—wait for us to act, wait for us to help, wait for us to come to your aid. We cannot and we should not wait. We must not walk away.



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Mr. Speaker, I urge the Speaker of this House to reconsider and to act immediately. Now is the time to act.

Mr. RUNYAN. Mr. Speaker, I rise today in disbelief that a Hurricane Sandy disaster relief bill has failed to come to the floor in the current Congress.

It has been over two months since Super Storm Sandy devastated my home state of New Jersey, and Congress has failed to act. After Hurricane Katrina Congress acted and passed a supplemental spending bill within 10 days.

My district was ground zero for Sandy and suffered horrific damage.

I can personally attest to the devastation as I toured many of the coastal towns in the days after the storm, and I can honestly say that some areas look like they had just been bombed.

Governor Christie, after careful examination, estimates the damage to New Jersey alone to be $36.9 billion.

I fully support the Governor's request. New Jersey will need every last dime in order to rebuild successfully.

My constituents and I are extremely disappointed that in our time of need this Congress has failed to act.

Mrs. MCCARTHY of New York. Mr, Speaker, I rise today to express my absolute shock that the House Republican leadership has adjourned the 112th Congress without addressing the needs of the victims of Superstorm Sandy.

Like most Members whose constituents were affected by Sandy, we expected, and were all but assured, that there would be consideration of a supplemental appropriations bill before this House adjourned. It is utterly unacceptable to leave millions of Americans across the most densely populated part of the nation, including my Long Island district, on the hook for the unexpected costs of a natural disaster.

The House Republican leadership had plenty of time to act—let's review the timeline. In November, Governors from affected states acted to give preliminary assessments of the damage caused to their cities and towns. In early December, the President submitted to Speaker BOEHNER a detailed supplemental package. By the end of December, the Senate passed a bipartisan supplemental providing sixty billion dollars in federal resources to Sandy victims. And yesterday, House Republican leadership chose to give Members an extra day of vacation rather than take up the Senate-passed bill or, at the very least, even attempt to address the needs of millions because of this natural disaster. All the House leadership did was tell storm victims to wait until the next Congress. Excuse me for being cynical, but I don't have much faith that this House leadership can keep its word and deliver for the people in a timely manner. Midnight hour deals on fiscal cliffs, pending dysfunction with the debt ceiling situation in two months—I just don't believe it.

Ladies and gentlemen, this represents an unprecedented action in the Congress. Never before has the United States Congress turned its back on its citizens after a natural disaster. Members of this Congress whose constituents were affected by Sandy have time and time again supported supplemental appropriations bills for other areas of the country affected by natural disaster. We were there with funding after Katrina, and we were there after the floods in the Midwest. Nowwe need to be there for millions in the Northeast. How come when it is our constituents' unfortunate circumstance to be in need of similar funding we are told to wait?

It's shameful.

I am pleased that both my Republican and Democratic colleagues have expressed their shock and disappointment in House leadership for not allowing a vote on a Sandy aid package. I will not rest until I can deliver this funding to my constituents on Long Island and to the millions who live throughout the Northeast. The Senate passed a good bill, a bipartisan bill, a bill that includes much needed mitigation funding as well. Nine weeks is already far too long for folks to wait to be helped by our federal government after a disaster of this magnitude. FEMA alone cannot provide all the necessary funding until this House acts. The Small Business Administration, the Army Corps of Engineers, other vital federal agencies and our state and local governments NEED the additional resources to help stem the hurt Sandy caused.

I am ashamed of the actions of this House Republican leadership and I remain committed to getting Long Islanders and those across the Northeast the federal assistance they deserve.

## SUMMARY OF ACCOMPLISHMENTS

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

Mr. STEARNS. Mr. Speaker, we've had a very good session of the 112th Congress, and we got through it last night. I think all of us, regardless of how we voted, feel a certain relief that we can move on in this country and start to tackle the huge deficit we have.

This is going to be my last speech on the floor. I had the opportunity yesterday to deliver a speech that deals with what I felt were some of the problems in this country with regard to the deficit.

I quoted a lot from Thomas Jefferson, who aptly realized how troublesome and serious the amount of borrowing by this Congress and past Congresses could be to this country. He, of course, inherited a similar situation when he became President, and how he solved it, I felt, was important to put in the RECORD—his acute sense of urgency and how he went about solving the deficit he inherited. So I talked about that last night in my speech on the floor.

The second thing I talked about was this whole idea of Keynesian economics and that the problem we have is continuing to stimulate the economy with either QE1, QE2, QE3, and so on with this quantitative easing that Chairman Bernanke is doing and how that is ultimately hurting this country.

I also thought I would speak briefly today on some of the accomplishments that I have had over my 24 years. Some of these are very important, I think, for my district and, of course, I think, for the country.

The first one I'll mention is the Cross Florida Barge Canal. This was 86,000 acres that were tied up at the Federal Government. President Nixon wanted to do the Cross Florida Barge Canal. Ultimately, he decided against it, so this amount of land was tied up in the Federal Register. With the help of Charlie Bennett, a Congressman from Jacksonville at that time, I sponsored a bill to retake that 86,000 acres and move it back to Florida, where it was originally located. So we de-authorized the Cross Florida Barge Canal, and President Bush signed into law my bill on November 29, 1990.

□ 1010

The second major piece of legislation I am very proud of is the Telecommunications Act of 1996. I was a conferee with the Senate. I had many amendments involved with that, particularly with the broadcast side. It provided competition, reduced regulation, and it started this whole innovation in our telecommunication industry. And it was a great honor for me to serve and to be contributing to that great bill which created all of the new jobs in this country.

The third one was the Veterans Millennium Health Care and Benefits Act, which was signed by President Clinton on March 10, 2000. This bill was to provide extended care services for our veterans, to make improvements in health care programs at the Department of Veterans Affairs. I was chairman of the Health Subcommittee at the time, and I was able to advance this bill, and I am very proud that President Bill Clinton signed it.

The fourth bill was the Cardiac Arrest Survival Act. President Clinton signed it on February 13, 2000. It prevents as many as 50,000 unnecessary deaths each year in the United States by using what are called AEDs, which are automated external defibrillators. It allowed people to be trained to save lives, and so this act was very important. I'm glad that it was signed as my bill.

The fifth one I am very proud of that President Bush signed is dealing with asthma conditions. Self-administration of medications was prevented in schools because they had no drugs allowed, and some of the children had asthma and they needed EpiPin or they needed some albuterol, and if it wasn't available they could go into asthma attack. This bill allowed nurses in schools to provide this type of treatment.

The sixth one is the Protection of Lawful Commerce in Arms Act. It was signed by President George Bush on October 26, 2005. It basically provided civil liability action protection for companies that were manufacturing, distributing, or importing firearms or ammunition, for damages that were caused. Cities and States were suing these manufacturers, putting them out of business. They were nuisance suits, and I'm glad that President Bush signed it.

The last one I'm very happy to talk about is a bill that President Clinton

signed, H.R. 5109, which basically assisted the Veterans Health Administration to help personnel.

In closing, Mr. Speaker, I want to thank Jack Seum, my chief of staff, for his 20 years of service; Paul Flusche for his 17 years; Sherrie Porter for her 10; and Shawna Williams for her 14 years of service. They did an extraordinarily good job, and I thank them.

I recognize my long time employees.

Jack Seum, Chief of Staff, 20 years of service; Paul Fluche, Press Secretary, 17 years of service; Sherrie Porter, District Director, 10 years; and Shawna Williams, Staff Caseworker, 14 years.

And I thank all of my staff for their strong efforts.

Also I want to thank Jay Pierson for his help during my tenure in Congress. He was the floor manager and did a great job. His 34 years of service was extremely impressive.

DISTRICT FUNDING REQUESTS SUMMARY

1. Establishment of an outpatient clinic for Veterans in Leesburg and Ocala, Florida.

2. Instrumental in building a Veterans' hospital facility in western Marion County, part of The Villages, with ten acres of land donated by Gary Morris, the owner of The Villages.

3. Funding for a 235-bed facility for the Veterans Administration Hospital in Gainesville.

4. Numerous funding support for the infrastructure for the beltway in Ocala and the beltway in Clay County.

5. Conversion of the Master Navy Jet Base Cecil Field into the Cecil Field Commerce Center with continuous appropriated funding made to help transition this into a commercial enterprise.

6. Further funding for the National Guard in Camp Blanding for the new Education Center as a result of the 9/11 tragedy and terrorist attack. Also helped National Guard in the relocation of the space program deposit of rocket fuel at Camp Blanding.

7. Federal funding for the building of a new prison in Sumter County and the funding for the intersection to allow transportation requirements to be met off of I75.

8. Accomplishments for Jacksonville Area:

JAX VA Cemetery: I first offered legislation (H.R. 3882) to establish a new VA cemetery in northeast Florida in 1996. There are approximately 189,000 veterans in the Jacksonville area, but there were no veterans' cemetery to provide them a permanent place of honor. It was not until 2003, with the inclusion of language from my bill (H.R. 197) into H.R. 1516, the National Cemetery Expansion Act of 2003, that a veterans' cemetery in Jacksonville was finally established.

Cecil Field: With the closure of Cecil Field, I have worked with area leaders and involved citizens in transforming Cecil into a commercial center. Since 2001, I have secured $10.5 million in appropriations funding for the former Cecil Field, now Cecil Commerce Center.

I also worked through the Military Airport Program (MAP) to upgrade the facilities at Cecil. From FY 2000 to 2003, I helped Cecil receive more than $12.5 million in MAP funding for building and hangar renovation, runway rehabilitation, and infrastructure improvements.

Florida National Guard: I have a long record of working with the Florida National Guard and its premier facility at Camp Blanding. I have secured funding and support for establishing the Rocket Motor Storage Facility, various infrastructure upgrades, and the Air National Guard Weather Readiness Training Center.

NADEP: I support the mission and workers at Jacksonville NADEP. Stearns contacted Secretary of Defense and pointed out specific examples in which NADEP personnel contributed directly to returning equipment to combat readiness.

JAX Port: I consistently join the area delegation in supporting dredging at JAX Port Authority.

MORE RECENT EXAMPLES ARE

1. Representative STEARNS introduced FAST, the "Faster Access to Specialized Treatment Act" (H.R. 4132), which rewrote Section 506 of the Food, Drug & Cosmetics Act to modernize the accelerated approval pathway for rare disease drugs. FAST was included in the FDA Prescription Drug User Fee Act (PDUFA), Rare Disease Bill.

2. Congressman STEARNS worked with Rep. ED TOWNS (D–NY) to craft H.R. 734, the Pedestrian Safety Enhacement Act of 2009 which directed the Secretary of Transportation to set a noise level sufficient to alert blind and other pedestrians of the presence of operating motor vehicles. This legislation was signed into law on January 4, 2011 as S. 841.

3. One of the high points for veterans and serving on the 24 years on the Veterans Affairs Committee was the accomplishment of getting a new cemetery in Jacksonville. The language in Representative STEARNS' bill H.R. 1516 was incorporated into the National Cemetery Expansion Act of 2003, establishing a veterans' cemetery in Jacksonville. This was signed by President Bush. Representative STEARNS had originally dropped H.R. 3882 and it was ten years later that this Act was accomplished and signed into law by President Bush.

4. Representative STEARNS served as a member of the Air Force Congress with Sam Johnson who spent 6½ years as a POW at the Hanoi Hilton. While a member of the Air Force Caucus the Air Force Association presented to Congressman STEARNS the W. Stuart Symington Award which is the highest honor presented to a civilian in the field of national security.

5. A recent bill which passed the Congress for the first time with Democrat support was H.R. * * * (James) the Concealed Weapons Permit to allow Americans to carry a concealed weapon if they have established their credentials from the state of their residency to other states.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. NADLER) for 3 minutes.

Mr. NADLER. Mr. Speaker, sometimes events occur that are so out of the ordinary, so unusual as to defy belief. Such is the decision of the Speaker last night not to permit this House to vote on relief aid for the three States and some other areas that were devastated by Hurricane Sandy.

I have been in this House for 20 years. There have been many disasters—floods, hurricanes, tornadoes, earthquakes, wildfires. In every single instance, this House has voted aid for the necessary States; in every single instance, usually within a week or 2. Never more than 3. It has now been 9 weeks since October 29 when Hurricane Sandy devastated three States and parts of more—9 weeks.

The Senate passed a bill to aid us. The House was ready. The bill was prepared and an amendment was prepared. We were assured the bill would be on the floor last night or today. At the last minute the Speaker, without even talking to Republicans, not to mention Democrats from New York, refusing to meet with them, suddenly pulled the bill and said we wouldn't have a vote; as if the people in New York and Connecticut and Pennsylvania, New Jersey are not in need of aid; as if thousands of people are still not without heat, without water—as if thousands of small businesses don't need loans and aid so that they don't go under; as if thousands of people don't need help to rebuild their homes, to clear the trash from their properties; as if hundreds of municipalities don't need aid to finance this activity, having used up all their budgets for that purpose.

We're told by the chairman of the Appropriations Committee we'll get a bill on the floor later this month in the next Congress. It's already 9 weeks. It's already an unprecedented length of time. And why? Are New Yorkers and Pennsylvanians and Connecticut residents and New Jersey residents less American than the people that we aid in the Midwest and the South when we vote for aid for those people because they are the victims of natural disasters? How can we treat an entire region of the country this way? It is the most disgraceful action I've seen in this House in the 20 years I've been here.

I see that we're told that, well, FEMA still has money until March. But it's not just FEMA; it's the Small Business Administration that needs the appropriation now to help small businesses now; it's the Army Corps of Engineers that needs the authorization, the appropriation now to help the people who are victimized.

There is no excuse for this, none. It is a betrayal of the people of those States. It is a betrayal of the people of the United States. It is a betrayal by the Speaker personally of the Members of this House not to permit a vote. I have never seen an action like it. I hope I never see it again.

I urge the Speaker to reconsider and to rectify this decision today, because today is the deadline to avert going down in history as shameful.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. GRIMM) for 5 minutes.

Mr. GRIMM. Mr. Speaker, it's very difficult to stand here and have to speak to my constituents knowing that we're going to break, we're going to end this Congress, and I'm going to go and walk the streets in Midland Beach, in South Beach, in New Dorp Beach and Tottenville, and I'm going to meet with homeowners that I've been meeting with for 9 weeks now and I can't

tell them that everything is going to be okay because, as of right now, everything is not okay. In fact, it's far from okay.

I don't often agree with my colleague that just spoke, Mr. NADLER, on a lot of substantive issues, but I have to agree with him today, and that is not an easy thing for me to do because there was a betrayal. There was an error in judgment that is going to cost, I think, the trust of the American people, not from me individually, not necessarily even for the Members here today, but for this body as a whole as we move forward.

I couldn't be more proud to be an American. You know, I used to tease people that I bleed red, white, and blue. Since I was young, I knew I would serve in the military, and I did. And I would have given my life for this country time and time again. And even later on, I put myself in harm's way serving with one of the greatest organizations this country has to offer with the Federal Bureau of Investigation, a huge honor. And I really, really felt, when I took my oath as a Member of Congress, that it would be a level of service that would even outweigh my prior service because I was going to be in a position to help my fellow Americans every way that I could and to actually go out and touch my friends, neighbors, even those that didn't support me or had different political ideologies, I was going to be able to use the work ethic that I inherited from my father to make their life a little better. That's why I took this job, to make people's lives a little better, to make life in the United States a little better. And I'm not able to do that today, and I don't understand why.

□ 1020

And I think it's inexcusable that we did not have this vote and bring those that are suffering, those men and women that are looking at their children right now, and they're not sure what to tell them because they've lost their small business, their only source of income.

And why is that important? Well, because the SBA and FEMA and all the government officials that hit the ground when Superstorm Sandy hit explained that if you didn't get money into the hands of these small businesses almost immediately, then most likely they would go under. If you don't start rebuilding right away, people start to become depressed and they lose hope. Let's not even discuss the economic impact.

So to delay this vote, even for another day, is something that will resonate, not only with the people that have been affected and are suffering and have lost everything, but I think it will resonate with the American people for a long time; and I think it will make them wonder what we are here for and what is the role of the Federal Government, what is the role of the Congress, and maybe most importantly, can they trust us.

So it is with a heartfelt apology that I apologize to my constituents, to my fellow New Yorkers in need, those in New Jersey, Connecticut, and Pennsylvania. I did all that I could. I will not stop. I will not relent, and I will continue to push for this vote to come as quickly as possible. But there is no rhyme nor reason, and it is inexcusable that it has not come already.

You are in my thoughts and my prayers, and I will be there on the ground as soon as I get back to New York to help as much as I can, knowing that I'm not helping nearly enough because we don't have the funding to do so.

I want to thank my colleagues across the aisle that have been exemplary. It has been an honor to work so closely with you on these efforts. It has been not only bipartisan but bicameral. Governors, mayors all across the aisles have weighed in, and that is something that I will treasure and will continue to do as we move forward, knowing that we should not have to be here today.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. CROWLEY) for 3 minutes.

Mr. CROWLEY. Mr. Speaker, last night the Republican leadership reneged on their commitment to vote on aid for the families in the States that were devastated by Superstorm Sandy. We were told it was because Republicans just couldn't stomach any additional votes in this Congress.

I wonder if those same people walked along the beaches of Long Beach and Long Island, Breezy Point and Belle Harbor and Rockaway Beach in GREG MEEKS's district, Staten Island or Seaside Heights in New Jersey; if they could stomach the devastation they would witness, stomach the lives that were lost, stomach the homes that have been destroyed or the families that have been displaced, stomach the businesses that are closed and, in many places, have been lost.

In the weeks after the storm, my Republican colleagues told us—not all, by the way, and I want to point out that Mr. GRIMM and Mr. KING, Mr. DOLD and others were very, very helpful—but the leadership, I'm talking about, told us they were with us and that they would support us.

But I guess those were only words, because last night we learned the truth. And thanks to their actions, there's no additional Federal assistance to help hardworking people rebuild and restart their lives.

Now, I'm not a cynic, but I do wonder, what if we told the Republicans that a few millionaires' and billionaires' lives were destroyed by the storm, whether they'd want to help all the families hurting because of Sandy?

And I wonder, what if Republicans were promised that by providing aid to families in need that, in turn, they would get a tax break? Would these incentives have changed their mind? Would it have prompted action? Because it truly does appear their only priority is helping those that have the most.

Republicans in Congress brought this House to a new low last night.

The banner over the Speaker's chair says ''In God We Trust.'' God alone cannot help these families rebuild but, unfortunately, the American people cannot trust the Republican Congress to help either. The only thing my Republican colleagues did this week was to serve up false hope to the people who have been devastated by the storm, false promises, false guarantees that we'd be there to help them in their time of need.

Many of you know that my cousin, John Moran—I don't speak about John often—was killed on 9/11. He came from the Rockaway community. There was a monument on the beach, 118th Street. There were, I would say, dozens of monuments, as Congressman MEEKS knows, along the Rockaway Peninsula. They were destroyed by Hurricane Sandy.

It didn't stop my family and his neighbors from going out and sifting through the feet of sand to find that memorial. It was that precious to them. They didn't wait for the Federal Government to come help pull them up by their bootstraps. They did it themselves. They continue to do it.

There are humble people, proud people throughout this entire region who have been affected by this. They will recover but, sad to say, no thanks to the 112th Congress.

## THE AMERICAN PEOPLE ARE LOOKING FOR CERTAINTY

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

Mr. DOLD. Mr. Speaker, I rise today, and I know we've talked a lot and have heard from my colleagues about Sandy, and I certainly want to talk about that.

I want to talk about last night we were able to avoid the fiscal cliff. The American public, at least the constituents that I talk to on a regular basis, are looking for certainty. They're looking for us to find common ground. They're looking for us to be able to move the country forward.

I'm a small business owner, Mr. Speaker. I meet a budget and a payroll. I employ 100 people. For me, that's 100 families. It's a role and responsibility that I take very seriously.

And while I do believe that the Federal Government should play as little a role as possible in the lives of Americans, they do need to play a role. They need to be able to provide those things that Americans cannot provide for themselves, whether that be infrastructure, whether that be a common defense, justice. These are some of the things that I think we do share a lot of common ground with.

Now, Mr. Speaker, I spent some time in Long Island, New York, recently and also in New Jersey. The devastation that Sandy has caused that region is nothing short of remarkable.

And while I do believe that we have a spending problem that has been going on, frankly, in this House, on both sides of the aisle for a long time, there are those times when we need to come together as an American people and say we have Americans out there that cannot provide for themselves, that have been devastated, that need a helping hand.

And do I think that they will repay that? I do.

We have an opportunity, Mr. Speaker, to come together as Americans, Republicans and Democrats together, to try to help provide need.

My colleague, JOE CROWLEY, was just up here talking about devastation that happened on the beaches. MICHAEL GRIMM, and I'm sure most of the New York and New Jersey delegations which will follow up here, and those from Connecticut, will talk about devastation that was happening in their communities.

I do believe that we have a role to play, and I do believe that action needs to happen and happen quickly.

Now, there are many on my side of the aisle that believe that we shouldn't be spending a nickel more than we have to. And while I agree that we need to tighten spending, and that this body needs to treat spending and those dollars as if they were their own, we can't needlessly ask taxpayers to provide more resources only to have them squandered.

Let me tell you, Mr. Speaker, these dollars will not be squandered. I believe that they are desperately needed. At a time when many Americans have lost hope, there is that opportunity for us to stand united together to provide that hope for the American public. It may be New York and New Jersey and Connecticut and Pennsylvania today, but it may be a different part of the country tomorrow.

Now, as we look forward, Mr. Speaker, as the 112th Congress comes to a close, we have a heck of a lot more work to be done as a country.

□ 1030

I, for one, hope that we can talk about reining in the out-of-control spending. But then, again, it's not going to happen with one party or the other. It's going to have to be about bipartisanship. And I do hope that we can bring pieces of legislation on this floor, like Simpson-Bowles, in that framework, that talk about revenue increases, whether that be through reforming the Tax Code and talking about where we can rein in spending, how we can reform things to make sure we have a social safety net, which is so vital. And I do believe that we need to have that social safety net. We need to strengthen that social safety net so that it's there for future generations.

I also think, Mr. Speaker, as we look at health care, we have to start thinking outside of the box. And certainly, I have enjoyed working with ROB ANDREWS on the American Center for the Cures, an idea that we need to be looking at how do we solve and cure some of these diseases that we spend hundreds of billions of dollars on treating each and every year, whether it be diabetes, Alzheimer's, or Parkinson's. If we came up with a cure for these types of diseases, think about where we'd be then, and where we can put those additional resources into the very vital areas that our government needs to fund.

So I am optimistic, Mr. Speaker, that our best days are ahead. But I also know that people are fed up with the idea of this partisanship. And I fear that we're going further partisan; that we're anchoring to the extremes as opposed to coming to the center. My hope is that this body can focus more on what we agree on as opposed to what we disagree on. That's what the American public's looking for. That's what I hope this Congress can accomplish in the 113th, and beyond.

I want to take this last moment to thank so many of my colleagues on both sides of the aisle for their friendship, for their support, and I certainly look forward to continuing the friendship in future years.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. LOWEY) for 2½ minutes.

Mrs. LOWEY. Mr. Speaker, the Republican do-nothing leadership has an opportunity to do something—something very important—today to help the more than 17 million Americans who were devastated by Hurricane Sandy, one of the worst storms in U.S. history, more than 9 weeks ago. The Senate has sent us a good bill. We are ready to act. We have the bipartisan votes to pass it. And yet the House Republican leadership has said there will be no votes today, the last day to pass this legislation without delay before we have to start all over again in the new session of Congress tomorrow.

Let me be very clear. Republican leadership has turned their backs on New Yorkers. They have turned their backs on those suffering without homes and businesses struggling just to get by. They have no valid reason for this delay—only the dysfunction with which they lead this body.

This record storm resulted in the deaths of over 100 Americans. The coasts of New Jersey, New York, and Connecticut have been devastated. Other surrounding States have sustained significant damage. In 2005, this body came together and passed a Federal disaster assistance bill to help the gulf recover from Hurricane Katrina 2 weeks after the storm. Congress acted to assist those who suffered damage in Hurricane Gustav and Ike within 1 month.

The Governors of our States, Democrat and Republican, have assessed over $82 billion in damages. The Senate bill would have provided $60.4 billion—not everything that was requested, but a detailed, thoughtful disaster assistance plan to help these communities rebuild. More than 9 weeks since the storm hit, House Republican leadership is doing nothing, after giving us nearly virtual assurance just yesterday that we would consider this assistance bill today.

When a disaster hits on American soil, we as a Congress have the responsibility and tradition of working together, Democrat and Republican, to help communities rebuild. Our citizens are counting on us to help them recover from the storm and mitigate future disasters. I respectfully urge House leadership to reconsider their decision. Support the victims of Hurricane Sandy. Put politics aside. Do the right thing. People are waiting. People need this assistance. Let's bring the bill to a vote today.

## HURRICANE SANDY RELIEF

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

Mr. KING of New York. Thank you, Mr. Speaker. At the outset, let me thank you for your service during your time in Congress, and thank you for your remarks here this morning.

I think it's important to set the record straight. Last night, many of us came to the floor and rightly said that the conduct of the Republican leadership was disgraceful, it was indefensible, and it was immoral. But I think it's important to lay out the facts as to how we reached this situation so we're not put in a position of name-calling or somehow we're angry or feelings are hurt. This goes far beyond any of that.

The fact is, as Congresswoman LOWEY said, within 10 days after Katrina, $60 billion was appropriated. That number ended up going well over $100 billion. It's now 9 weeks and nothing has been appropriated by this Congress for the people of New York, New Jersey, Connecticut, and Long Island, which I represent.

The fact is that over the last 5, 6, 7 weeks we did everything that the Republican leadership asked us to do. Governor Cuomo came down. I was at the meeting. He met with the Speaker. Governor Christie came down. He met with the Speaker. Governor Bloomberg came down. He met with the majority leader. We were asked to submit detailed documentation. Governor Christie, Governor Cuomo, and Mayor Bloomberg all submitted absolute documentation. When we asked if anything else is required, they said, No, you've given us all we need.

When the bill came from the Senate, we were told there was some pork in

the bill. That was taken out of the bill. The bill that was going to be voted on on the House floor was exactly in compliance with what the Republican leadership asked us to do.

Let me just say at this time, in my dealings with him, Majority Leader CANTOR has been very straightforward, very direct. Last night, I know that he was fighting to get the bill on the calendar. It was the Speaker that, for whatever reason, walked off the floor and said that the bill was being pulled.

Now I don't enjoy saying this. I consider myself a personal friend of JOHN BOEHNER. And JOHN BOEHNER personally has been very helpful to me over the years. So it pains me to say this. But the fact is the dismissive attitude that was shown last night toward New York, New Jersey, and Connecticut, typifies, I believe, a strain in the Republican Party. I know this is not the place to discuss politics, but that politics seeps over into a governmental decision that was made.

I can't imagine that type of indifference, that type of disregard, that cavalier attitude being shown to any other part of the country when we're talking about real life-and-death situations here—and to just have the Speaker walk off and not even tell us. He tells an aide to the majority leader, who then tells us that the item that means life and death was taken off the calendar and is gone for this session.

Now they say it's going to be brought back up in January. The fact is: let's be real. We're not in session next week. The following week we're in session for 2 days. The following week is the inauguration, and we're in recess for 2 days. Then we have the State of the Union. Committees haven't even organized yet. And does anyone believe if they wouldn't vote for a $60.4 billion last night, that the Appropriations Committee is suddenly going to get religion and going to vote the full amount, when we know what their attitude is—that somehow money going to New York and New Jersey and Connecticut is corrupt money, when money going to their States is so honorable. I would just say that these people have no problem finding New York when it comes to raising money. It's only when it comes to allocating money that they can't find the ability to do it.

So I'm standing here on the House floor today saying we have a moral obligation as Republicans, as Democrats, as Americans. I spoke to Governor Christie and Governor Cuomo. We've been in constant contact with Mayor Bloomberg. We cannot believe that this cruel knife in the back was delivered to our region. I have to go home this weekend and next weekend and the week after and see the hundreds and thousands of people who are out of their homes, who don't have shelter, who don't have food, and they're living with relatives, friends, and living in trailers. This is not the United States of America. This should not be the Republican Party. This should not be the Republican leadership.

I'm asking the Speaker, tell HAL ROGERS and these people who somehow who have become very sanctimonious when dealing with New York and New Jersey that they have an obligation to do what they have to do—and that's provide the aid and relief that we need. If there's one penny that they have a problem with, let us know. But don't walk out in the dark of night and ignore us.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 2½ minutes.

Mr. PALLONE. Let me thank Mr. KING, my colleague from New York, for his remarks. I really appreciate what he said—that this is not a Republican or Democratic issue. It shouldn't be politicized. Natural disasters and responding to them are what I've seen over my 25 years in Congress, and they are what bring us together to try to help people. The Speaker should not use this opportunity to tear us apart.

I was here last night when we got the word through Congressman KING that the Speaker was going to pull this bill. And what the message said was, Well, we can do this in January. We'll do it sometime later in January in the new Congress.

□ 1040

As Congressman KING said, we can't wait. My district was devastated by this storm. I would ask of Speaker BOEHNER, come to Sea Bright, New Jersey. Drive through Sea Bright, New Jersey. It's a town that has less than 2,000 people. The business district is totally destroyed. One or two stores have reopened; the rest are still closed. Most of the people still have not been able to return to the town.

Go to Union Beach in New Jersey, also in my district, where you can see that now everything is exposed. We still have people that do not have a place to stay, that are looking for an apartment or staying in motels or looking for a trailer to be placed next to their home and still don't have it.

We need to rebuild now. We need to act now. We can't wait for the next Congress or another couple of weeks or another couple of months.

What I don't understand, Mr. Speaker, is how is it possible that this has become a political issue? It is clear that we're here today. We can vote on this. The votes are clearly there. We should have an open debate. That's what democracy is all about. And all of a sudden, because the Tea Party or some conservative element is worried that they have to vote on another spending bill, all of a sudden the Speaker says, well, we can't do this today. This is politicizing a situation that should not be political. It is another example of what I call the ''do-nothing'' Congress.

This Congress did very little. It had fewer bills passed than in anybody's memory. Rather than go out on this negative note about not bringing up an emergency because of a hurricane, a devastating natural disaster, why not do something positive on a bipartisan basis, Mr. Speaker. Bring this up. Let us have an open debate. We're still here. Don't let this Congress die on this negative note. Let it build on a positive note, so when we come in and we're sworn in on Thursday, we can show that we can work on a bipartisan basis.

I have never seen anything like it. To me, it is just deplorable.

## FAREWELL REMARKS

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

Mr. RIVERA. Mr. Speaker, as we close on the 112th Congress, I wish to express my gratitude to the residents of Florida's 25th Congressional District for having given me the honor and the privilege to serve them as their elected Representative in the United States Congress.

When my constituents first elected me to come to Congress, they did so with what I thought was a very clear mandate as to what the focus of the 112th Congress should be, and that is to restore fiscal responsibility to the Federal Government and begin moving our economy forward to create jobs. Here in the U.S. House of Representatives, I believe we have strived to meet the challenges that out-of-control spending have created in the form of yearly deficits and long-term debt accumulation. The 112th Congress' passage of the free trade agreements with Colombia and Panama and South Korea demonstrates what type of pro-economic growth and job-creation policies can be achieved when we place the Nation's long-term economic interests before parochial or short-term considerations.

Unfortunately, too often in the 112th Congress, our efforts here in the U.S. House of Representatives to restore fiscal responsibility to the Federal Government have not been met with the same sense of urgency by our governing partners in the United States Senate or the White House. Last evening's vote regarding a so-called fiscal cliff is yet another example of Washington's willingness to forego making difficult, long-term decisions regarding spending in deference to short-term fixes that do not solve our looming debt crisis. That same debt crisis, that is the real fiscal cliff that our Nation faces; because whether we realize it or not, the more our Nation climbs this mountain of debt—a mountain we ourselves are creating—the higher the cliffs will be.

I urge future Congresses to meet this challenge, take up the challenge in restoring fiscal responsibility with a renewed sense of vigor and urgency.

I also want to encourage my colleagues in the 113th Congress to apply that same sense of urgency to another

issue of great national importance: immigration reform. I clearly recognize what a contentious issue this is, pitting two fundamental American values—rule of law and compassion—against each other, but I would suggest that making this effort is crucial to America's future.

We need a sustained commitment to afford opportunity for all Americans, at least for young people, young people who, through no fault of their own, are now in limbo due to their undocumented status; young people who have been educated in our school systems; young people who are willing to achieve further academic excellence, who are willing to serve in our military and risk their lives. Can we not at least say that, if somebody is willing to die for America, the least we can do is give them a chance at life in America? I hope in the 113th Congress the answer to that question will be ''yes.''

So, Mr. Speaker, I end my remarks where I began, expressing my deep sense of gratitude for the honor and privilege granted me to serve in the 112th Congress. I have been blessed with a superb staff of dedicated professionals: my previous chief of staff, Steve Vermillion, may he rest in peace; my current Chief of Staff, Javi Correoso; and my entire D.C. office staff. My district director, Alina Garcia, and my entire district office staff have all served this Congress, the people of Florida's 25th Congressional District, and our Nation with honor and distinction. My friends, supporters, and constituents have blessed me with their confidence.

And finally, my gratitude to my family, and particularly my mom, Daisy, who is a saint, whom I love dearly, and who has sacrificed everything so that I have the opportunity to serve and achieve the American Dream. Only in America can a child of a political refugee, a kid born on the wrong side of the tracks, grow up and be elected to serve in the United States House of Representatives. America is indeed the greatest country mankind has ever known.

May God bless you, Speaker, and my colleagues. May God bless the United States House of Representatives. May God bless the United States of America.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. BISHOP) for 2½ minutes.

Mr. BISHOP of New York. Mr. Speaker, I rise in solidarity with my colleagues on both sides of the aisle against the House Republican leadership's outrageous decision to refuse emergency assistance for our States to recover from the strongest storm to ravage our region in generations.

It's simply unconscionable that this Chamber would walk away from a region desperate for assistance in its greatest hour of need. We cannot accept this shockingly callous indifference of the leadership to the human suffering that our constituents and their fellow citizens continue to endure.

The leadership's decision stands in stark contrast to the immediate decisions to provide relief in the wake of every disaster that has befallen this Nation over the past many years. It comes in stark contrast to our Nation's call to provide well over $100 billion to Louisiana and the Gulf States following that tragedy, the first $62 billion of which was on its way to the Gulf States within 2 weeks of the storm.

More than 2 months after our region was struck, our constituents are still waiting for help. Our States are overextended and our constituents have reached the limits of their tolerance. They deserve more than the Federal Government's refusal to help, particularly after the Senate's strong bipartisan approval of the aid we need.

Our leadership has decided to pass up an important investment against future losses. Many of our districts remain exposed to future damage. My own district, for example, experienced two relatively routine storms in late December, but, nonetheless, those storms compounded the massive erosion along the south shore of Long Island. We simply cannot afford any further breaches, flooding, overwashing, or storm damage without incurring significant losses to our infrastructure and to our economy.

Mr. Speaker, let me close with this:

What do I say when I go home to my constituents in Mastic Beach, a working class community on Moriches Bay with a little over 5,000 homes, about a thousand of which sustained damage, a great many of which are unrepairable? Do I tell them that the Republican leadership of the House considers it entirely appropriate for their tax dollars to be used for recovery and repair in New Orleans, in Tuscaloosa, in Joplin, or anywhere else in this country where a natural disaster has occurred? Or do I tell them that when it's in their hour of need, the Republican leadership has decided to simply walk away? That's precisely the message that the Republican leadership is sending to my constituents.

They deserve better. The residents of all of the States that were ravaged by this storm deserve better. We must bring this bill to a vote immediately.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore (Mr. RIVERA). The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 2½ minutes.

Mr. BLUMENAUER. Mr. Speaker, as the 112th Congress ends with a whimper, not a bang, not so much finished as worn out, I was prepared to come to the floor this morning and talk about some of the unfinished business that we kicked down the road with a proposal last night: a serious deficit reduction, the debt ceiling, tax reform. One thing I didn't expect to be confronted with is what you have been hearing from my colleagues today, that we do not have the time to address the disaster relief for Hurricane Sandy, which everybody thought was a given.

□ 1050

This is the crew that came to town shouting ''read the bill,'' that they were going to have 72 hours' regular order to move in a fashion. They gave us 154 pages, 24,000 words nobody had read, but we at least thought we would be dealing today with this emergency assistance.

I am stunned, frankly, that we find ourselves in this situation, but we have 24 hours left. How hard would it be to take up a bill that was already overwhelmingly passed by the Senate? How hard could it be, based on the bipartisan expression last night of support for a bill that almost everybody hated and had reservations about but would come together for something they thought was important for the country?

Remember when rebuilding and renewing America was a bipartisan objective? Maybe we could take a little bit of that spirit of bipartisanship and cooperation last night and rise to the occasion in the next 24 hours to do something for the people who deserve our help and support. If not, then it ought to be the first order of business of the new Congress, and we ought not to go home this week until this matter is addressed.

## THE POWER OF UNITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH) for 2½ minutes.

Mr. KUCINICH. Mr. Speaker, I want to begin by thanking my wife, Elizabeth, who is here in the gallery, for her constant support during my service in the United States Congress and to thank the people of Ohio's 10th Congressional District for their constant support, as well as the great congressional staff both at the district and at the D.C. level. I also, before I make further remarks, want to express my support for my colleagues from New York and New Jersey in their tireless efforts on behalf of their constituents who have suffered so grievously from Hurricane Sandy.

We must unite for the people, and that's really the idea of the United States. It's the unity of States, but it's even deeper than that. It's expressive of the unity of people that it's all for one and one for all. Our Nation's first motto, ''E Pluribus Unum,'' out of many we are one, stresses the power of unity. The idea of human unity is implicit in this Nation.

In my visits across America, I discovered that there is an underlying unity which binds us as Americans and which calls us forward to a higher purpose. I

have also come to understand that our politics divide people. The politics of polarization and hyper-partisanship has become obviously quite destructive, nearly incapacitating our government. Yet at such a time, the hunger for unity is the greatest, but the ideological differences between us widen.

We need a new politics in America which unites people, which sets aside partisan differences for the greater good of the country, and which strives to reconnect with the greatness of the Nation and the goodness of the American people. But what would that politics look like? The rhetoric would change to one of mutual respect. The questioning of motives would end. The poison system of ''pay to play'' would be transformed by public financing, and our government would be rededicated to addressing the practical aspirations of the American people for jobs, for health care for all, for education for all, for retirement security for all, and for environmental security.

We need a new politics which creates jobs and celebrates the dignity of work. Our government must raise the status of working people and protect their rights. Our government must stress wealth creation over taxation, investment over debt, health over illness, peace over war, and liberty over surveillance.

We have the capacity of choosing and choosing again as we are involved in the most creative endeavor of human achievement actualizing the highest principles upon which this country was founded and infusing those principles into self-government. Unity. One Nation, under God, with liberty and justice for all.

A new America is waiting to emerge. Let us call it forward with the same sense of wonder and expectation that the Founders first evoked: the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to refrain from referring to occupants of the gallery.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 2½ minutes.

Mr. RANGEL. I was just asking my friend, JOE CROWLEY, is there a legislative possibility that we could bring this to the floor. I think everybody has enough compassion for the Speaker after what he's been through with his own party trying to get some bills to the floor to understand that anything, even something this enormous, could have fallen between the cracks. What a great opportunity to say let's try to put these pieces together.

In any event, nobody has said it's impossible to do it; and if it's just a question of pride in terms of party unity, I can't think of anything at this time that would be better served than to have all of America especially thank the Speaker for reconsidering trying to help the lives of tens of thousands of American people.

Once again, I don't know what my chances are going to be getting into Heaven, but the absence of listening to the compassionate support of the religious community is deafening to me. I know their strong position about same-sex marriage and about women controlling their bodies and all of those things. And I say, if you write the book, you have the rules, do what you have to do.

But, my God, when it comes to caring for people, not New York, New Jersey and Connecticut, not just the United States, but all over the world, can't there be some people that have compassion to know that this is what God expects us to do? That's why we say, in God we trust, because we're supposed to take care of fiscal calamities, which we fail, but the compassion is not in the parties, it's in the people. And these people could be your neighbors today and someone else's neighbor tomorrow.

And this great United States, what a great insurance policy to have, to have friends from different communities, different backgrounds to know, as we say in the hood, we got your back. That's what it's all about. People all over the world, when they have a problem, no matter what the political differences are, know that America will have enough compassion to put aside those differences and to send out our men, our women and our firefighters over there, to do what, to help.

How do we possibly explain to our kids and grandkids that when it came to Americans, when it came to people who fight and die for this country, that we not only didn't help, but worse than that, we turned our back on them?

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LOBIONDO) for 5 minutes.

Mr. LOBIONDO. Mr. Speaker, I appreciate the opportunity to be here today. I did not think it was going to be necessary. But the Superstorm Sandy relief bill, I've heard a lot of people talking about it. This isn't about us as Members of Congress. This is about our constituents. Do you have any idea what it's like when someone else's life is ripped from their hands, lives are lost, all personal property is lost, businesses are lost, and the hope of the Federal Government coming in is what is keeping them alive and motivated, and now with no explanation, the rug is pulled out from all of us, but most of all our constituents?

This is a disaster on top of a disaster. We, all of us, I think I speak for all of us, when Katrina hit, 10 days later, $60 billion, $100 billion altogether. Now we have to hear from people in Florida, Louisiana, Texas, and Alabama, and, yes, some people from California and the Midwest when they have a disaster and we were there for them that the rules are going to change for us and it is now not an emergency and the Federal Government doesn't have a role in this?

□ 1100

It's absurd, absolutely absurd. We demand nothing less than we have given the rest of the country. An emergency and disaster means emergency and disaster, and that's what we had. Go back and look at the videos. Go back and see how people were devastated. The people of the Northeast had something we have never seen before, and we're expecting the Federal Government to play their role and be there. That's the minimum that's expected.

We worked hard to put together a package in a bipartisan way. People are crying out for bipartisan action. We had this, Republicans and Democrats, shoulder to shoulder, working together, forming a package, giving a little bit here, giving a little bit there, working our other Members, building the votes, promising, anticipating that we would have today the finishing part of this.

I'm convinced we had the votes. I'm convinced we would have moved this forward. And for us in New Jersey, every day that is lost is a bigger disaster. This isn't about people getting a sun tan. This is about jobs and the economy, a $40 billion tourism business that relies on the summer season. Who is going to come and vacation in a community that doesn't have a beach and whose town is devastated that normally comes there? The answer is nobody. So the bigger disaster is going to come in a couple of months from now, and the money into the pipeline is what we needed now. We needed it 5 minutes ago. We needed it 2 weeks ago. We don't need it a month from now. We need the Federal Government to step up so people's lives can be put back together.

We're all hit hard enough with the recession. On top of that, now we have to deal with the anxiety and the failure of Congress to act, to provide what is normally provided. Why all of the sudden are New Jersey, New York, Connecticut, and Pennsylvania, why are we the first States that have to answer to some new rules or some new formula that is going to come out about how we do these things? I don't ever remember a question with Katrina, that that $60 billion was too big a number. I remember that they were showing how people's lives were devastated. Why are our constituents any less important than the constituents of the past who had devastation? All of this is real, and we need to find a way to move forward.

So, yes, there is anger and frustration. That is all rolled into this. We're going to stay united. We're going to work together. We're going to find a way to move this forward. But we need to make this absolutely crystal clear

that this is not about people in Congress; this is about constituents whose lives were ruined. We need to do the right thing, and we need to do it now.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore (Mr. DOLD). The Chair recognizes the gentleman from New York (Mr. MEEKS) for 2½ minutes.

Mr. MEEKS. Mr. Speaker, last night when I came to the floor for the first time since I've been in this body, my heart was hurting. I understand politics, but this should not be about politics. This should be about leadership.

The first thing I want to do is to say to the Speaker, Come walk with me, Mr. Speaker. Come walk with me. Let's walk the beaches of the Rockaway Peninsula. You will see a peninsula where every soul, no matter whether you were rich or whether you were poor, no matter whether you were black or whether you were white, every individual, no matter what your religious belief was, every individual was affected by this storm, everyone.

Come walk with me, Mr. Speaker, as STENY HOYER did, and talk to the people, look into their eyes, understand their needs. Come walk with me, Mr. Speaker. Maybe then you can have the leadership that is necessary to get this bill passed today. Come walk with me, Mr. Speaker.

If you can't walk with me, Mr. Speaker, for any reason, then go walk with MICHAEL GRIMM. If it is a partisan issue for you—because it's not for me—go walk with MICHAEL GRIMM on Staten Island, Mr. Speaker. You will see the same pain that the people in the Rockaways have. It's the same pain because they're the same people. They are the American people. This is the United States of America, and this is the people's House.

We make jokes all the time about the Senate. The Senate stood up and passed the bill. This is the people's House, Mr. Speaker. We are supposed to do the right thing for the American people. I'm proud of being on the Foreign Affairs Committee, going all over the world and talking about what we've got to do and how we help folks, how we help other individuals all over this world.

We have Americans, Mr. Speaker, who are crying out for help, who are saying they don't know where their tomorrow is. We have Americans, Mr. Speaker, who are worried to this day right now that we may have another northeaster tomorrow. And with the sand gone and the dunes now down, we'll have another disaster. They're asking me as their Member, Will our government help us? Where are you?

Mr. Speaker, we need leadership. Come walk with me, Mr. Speaker. Come walk with me, and see the American people that are suffering.

## LET'S FIGHT TOGETHER FOR A BETTER AMERICA

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, thank you for your service and your friendship to our country.

I've been watching the media, Mr. Speaker, and hearing a lot of distortion of what happened in the House Chamber yesterday.

Let's recall that on December 31 at midnight, taxes went up for every taxpayer massively, the fiscal cliff. By the end of the evening, the House came together, working with the Senate, and reduced taxes for 99 percent of American taxpayers. We kept taxes lower for dividend income, capital gains. We maintained a higher child tax credit. We helped keep the marriage penalty from hurting families. We did all this in a permanent way. This is a big win. We have a lot of work to do, but that was a big win.

The President also promised that he would work with us to have further cuts in spending. We should hold him to that promise on both sides of the aisle. We have several serious issues to come in this 113th Congress. We have to deal with the debt ceiling, spending cuts, implementation and regulations in the health care law, improving the efficiency and effectiveness of government.

It's easy for people to look at any piece of legislation—I actually challenge people to find some piece of legislation here that was perfect. Any major bill has flaws. Even a rose has thorns, as they say. Let's understand that we will see success when we work together, not when we continue to snipe at each other's heels.

The challenges before us will only be dealt with by the courage we find within us to find the common ground between us and fight together for a better America.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mr. ANDREWS (New Jersey) for 2½ minutes.

Mr. ANDREWS. Mr. Speaker, we're here this morning for the fellow citizens who didn't put up a Christmas tree or light a menorah or celebrate their holiday at home this year because they have no home. We're here for the boardwalk merchants who are not going to be starting their businesses up again this Memorial Day along the boardwalk because there's no business, and there's no boardwalk. We're here because a lot of people's lives are devastated.

It's important to understand what we are and are not asking for. We are not asking that every Member of this Chamber follow our lead and vote ''yes'' in favor of the bill the Senate has already passed. We are simply asking that every Member of this Chamber have the opportunity to vote on that bill.

□ 1110

President Kennedy said governing is choosing. We are prepared to choose an investment in the recovery of our neighbors and our country. We respect those who would make a different choice, but we cannot abide by those who would say they would make the choice of doing nothing at all, letting the clock run out on this Congress, which means that we'd have to start all over again. The people I talked about for whom we are here this morning, they need to start all over again. They need to get back to their homes, back to their businesses, back to their lives; and as we delay, we delay that possibility for them.

Every Member has the right to exercise his or her own conscience on any piece of legislation. No Member has the right to deprive the rest of us of the same opportunity for our constituents. We should meet today. We should vote today. We should move forward today.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. I rise today, Mr. Speaker, to join my colleagues on the other side of the aisle. I come from a district in New York that was not impacted by Hurricane Sandy, but I come to this floor today to express my frustration and my disappointment in the decision that was made to not bring up the Hurricane Sandy supplemental aid for the people of New York, New Jersey, Connecticut—our fellow citizens, Americans, who have suffered devastating impacts.

Now, I understand what some of the dynamics of this bill are about. I understand that the Senate has put forth a bill that many on my side of the aisle have expressed concern about—pork-type of activity that the Senate continues to engage in with fisheries and Smithsonian funding and things like that that don't really have much to do with Hurricane Sandy. But that's a separate issue that could have been addressed and should be addressed by this body in cleaning up that bill and in getting the aid, getting the resources to the people who are suffering today.

That was the intended plan, that we were going to let the will of the House speak—clean up the bill that the Senate had produced but, most importantly, do what is right for our fellow citizens because there is not a better purpose of the Federal Government, which is for the Federal Government to stand with our citizens when they are suffering the most, especially when they are suffering from a natural disaster such as Hurricane Sandy.

I join with my colleagues on the other side of the aisle in, again, asking

for our leadership to change the decision that was made to let the clock run out on this Congress and deal with this issue tomorrow. We don't have the luxury of waiting until tomorrow. These people are suffering today.

I talked to my colleagues of the districts that were impacted by this devastating storm, and I have heard the horror stories, and I've heard the stories of suffering of the many millions of people who were impacted in New Jersey and New York outside of my district. I think it is right and it is just and it is proper for us to hear the stories of those individuals and to make sure that we stand with them and take this bill up now rather than kick it to the next Congress. God knows when we will actually get to it in that congressional session.

So I join my colleagues on both sides of the aisle. Let us do what is right, Mr. Speaker. Bring this bill to the floor, and get on with the business of attending to our fellow citizens as Americans.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. PASCRELL) for 2½ minutes.

Mr. PASCRELL. Mr. Speaker, I want to wish you the best. I'm glad there's one more Democrat, but I'm not glad that you're leaving. You're a gentleman.

Look, I don't think that this is time for a pedantic debate. As we say in Jersey, it is time calmly, cooly to take the gloves off. This is the time. There is precedent here. I would suggest to the Governors that they should bring us to court. It's fitting.

Not only did we pass the money for Katrina in a very short period of time—part of it was by a voice vote. Can you imagine? Part of it was by a voice vote within a few days after that disaster. Mr. CANTOR voted for Katrina aid; Mr. BOEHNER did; Mr. RYAN did; Mr. MCCARTHY did, as did nearly every Member of the Congress from the New Jersey and New York regions. In fact, New Jersey and the other States that were hit by Sandy are some of the biggest donor States, that is, we send a lot of taxes to the Federal Government. Now we need our colleagues to step up to the plate.

As everyone knows, Sandy caused significant damage. In Bergen County, north Jersey—my district—first responders had to evacuate entire towns when the Hackensack River rose over a berm. The Moonachie Police Department will soon be housing trailers and be reimbursed. So let them come to north Jersey. Let them come to Connecticut at the shore of Jersey. Let them come to Long Island and Staten Island and Pennsylvania and Maryland. Let them come. Let them see. The mayor of Little Ferry is just one of the many people in that community whose house was decimated by the high water.

Look, we are, unfortunately, dealing with a schizophrenic leadership on the other side. Let's call it for what it is. Let's not mince words. State and local finances, which are already stretched too thin, allow for the limited or no ability of an area to rebuild alone. Because of the storm, the result will be one of depressed tax collections. We've been working with the Members of the House Ways and Means Committee to draft legislation modeled on tax relief.

Mr. Speaker, as I said, good luck to you. God bless your family.

God bless all of you for coming here this morning. We thought we'd have a shortened week, but our work is still ahead of us. This is the time to stop debating and take the gloves off—Jersey style.

## IN HONOR OF STATE POLICE TROOPER PHILIP BATTEL

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

Mr. GRIFFITH of Virginia. Mr. Speaker, I rise today on a different subject, one that I think we can all be pleased about. I rise in honor of Virginia State Police Trooper Philip Battel, a devoted public servant.

In the early hours of Friday, December 28, 2012, Trooper Battel saved three lives from a burning home. Trooper Battel was actually assisting the Saltville Police and Smyth County deputies in the search for a stolen car, which had been involved in an earlier police chase, when he noticed an orange hue off in the distance. He decided to investigate.

When Trooper Battel reached the area in question, much to his surprise he saw a home completely engulfed in flames. He banged on the door, but there was no answer. He made the selfless decision to enter the burning home and investigate. He began yelling and making noise. His activity in the house awoke the three residents, who had no idea that their home was burning down around them. His actions led to their ultimate escape from the home and from the fire. They're all in good health. Their lives were saved, and the lives of two of their pets were saved.

Trooper Battel's heroic actions and service to the community are to be commended. I am honored to pay tribute to him. Please join me in thanking Trooper Battel for all that he has done for the people of southwest Virginia.

Mr. Speaker, if I may, it has been my experience in working with the State police over many decades that they always respond in fine fashion and that they rise to the occasion. Trooper Battel is just another example in a long history of the good work and heroism of the Virginia State police.

□ 1120

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO) for 2½ minutes.

Ms. DELAURO. Writing at the time of Katrina, Harvard Professor Michael Ignatieff called the Constitution ''a contract of citizenship'' that promises, first and foremost, protection. That government will help ''citizens to protect their families and possessions from forces beyond their control.''

He writes:

> In America, a citizen has a claim of right on the resources of his or her government when they simply cannot help themselves.

When disasters strike, they test whether the contract is respected in a citizen's hour of need. When the levees broke, the contract of American citizenship failed. Mr. Speaker, the levees broke. They broke in Connecticut, in New York, and New Jersey. Government is about helping families recover and rebuild from major disasters like Superstorm Sandy.

In a shocking display of neglect, this House majority decided not to allow a vote on disaster aid funds so desperately needed to recover and repair from this storm. Hurricane Sandy was one of the most severe storms to hit Connecticut in our State's history. All across our region, families' houses were destroyed and lives were upended.

And whether it has been a fire in the West, a tornado in the Midwest, a hurricane in the gulf coast, or a storm in the Northeast, this body acted. We didn't say no. It was a resounding ''yes'' to help because it is the central responsibility of this institution to act on behalf of the American people.

And yet here we are 2 months since Sandy destroyed thousands of homes and businesses, took 100 lives across this Nation. This House majority said ''no'' on a vote for disaster assistance to help millions of people get back on their feet again. The Republican leadership has broken that contract of citizenship. They have said ''no'' to my constituents in Stratford, in Milford, in New Haven, East Haven, West Haven, Branford, North Branford and Guilford. They said ''no'' to the rest of the towns in Connecticut and in New York and New Jersey. They broke the contract of citizenship. They said: You are on your own.

My friends, our people cannot be on their own. We have a central responsibility to act on behalf of the American people when they are overwhelmed in circumstances that they had no control over. Let us act. Let us act today to restore that faith and confidence in the American government.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. HOLT) for 2½ minutes.

Mr. HOLT. Well, you've heard it. Our constituents' lives were devastated by the Sandy disaster. It has now been about 9 weeks since Hurricane Sandy brought the winds and the tidal surges.

In central New Jersey and Connecticut, in New York, people are hurting. Towns have exhausted their emergency funds and exhausted their borrowing capacity. In other disasters, such as the disaster associated with Katrina or with wildfires or with any number of other natural disasters, this body has acted and aid has been provided quickly.

And yet today, the Speaker is going to allow the 112th Congress to adjourn before passing the much-needed disaster relief package. The Senate acted on this bill. The aid package here was well constructed. It was ready. All we needed was a vote. And the delay is significant. It adds significantly to the hurt. It is not an exaggeration to say that lives are on the line. People are living wherever they can. They don't have the shelter. They don't have the businesses. They don't have their lives. And the Speaker just walks away. That compounds the disaster. The delay compounds the disaster.

It has been said: Well, FEMA has some money already in their account that will last for many weeks. But we're not just talking about FEMA, we're talking about HUD. More than a billion dollars, actually billions of housing aid. The Army Corps of Engineers, the National Oceanic and Atmosphere Administration, the Department of Interior, the Agriculture Department for food and emergency watershed protection, the EPA for safe drinking water—all of this was in this well-constructed package.

Now, it has often been said that the governing principle of the Republican leadership is ''you're on your own.'' That might actually be a conscientious principle if they really believe in their hearts that your Social Security should be privately invested or you should pay for a college without government help. But this, to say you're on your own after a disaster is inconsiderate. It breaks our trust. It violates an understanding, and it hurts people.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. MALONEY) for 2½ minutes.

Mrs. MALONEY. Mr. Speaker, this kind of petty partisan posturing is absolutely disgraceful. It's an act of spiteful indifference that will go down in history as a low point in a low era. Shame on this House. This House acted quickly after Katrina, voting over $60 billion in less than 2 weeks. It acted quickly for Ike and Gustav and the tornadoes in Alabama. We were there for other regions of this country. This country has to be there for the Northeast. Twenty-four States were affected. It has been called the second-worst natural disaster in the history of our country, affecting over 17 million people in the most densely populated area of America.

We cannot turn our backs on this entire region. Every Governor, every mayor has talked to the Republican leadership. They were assured the money would be there. We cannot rebuild or start to repair without the resources being in place.

The Northeast are donor States. We give far more to the Federal Government in taxes than what comes back to us. Yet when the natural disaster struck our people, we lost lives. We lost businesses, homes, complete devastation of the largest subway system in our country, moving 8 million people a day. Where is the aid and where is the support?

Mr. Speaker, introduce the Senate bill tomorrow. Let's come back into session, vote it on Friday. Let's put the aid in place, the American way of being there to help people. You can't pick and choose that certain areas get disaster relief, but the area that is the most hard-hit in the history of our country does not receive the relief? The disaster aid that has been there for other people? We have been there for you. You need to be there for the Northeast. It is devastated. We need Federal aid. You cannot repair hospitals, subway systems, major infrastructures without the support of the Federal Government.

Mr. Speaker, do not turn your back on America and a region of America. You need to support in a bipartisan way the aid that is so desperately needed for the most densely populated area of our country after the second-worst storm in the history of our country.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 5 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, the two-tiered amendment disaster relief bill that we had hoped to bring to the floor to get us to the $60 billion that is desperately needed to assist families, businesses, and municipalities devastated by Superstorm Sandy. Our appeal—and it's a bipartisan appeal—is that there is still time to bring this vital legislation to the floor for a vote back to the Senate and then down to the President for signature.

Numerous towns in my district, Mr. Speaker, as well as well as our friends in New York and further north, are still coping with and recovering from the most destructive storm ever in our region—and perhaps the second or third most costly in all of American history.

Today, families lack housing. Businesses are in shambles, and municipalities have been decimated.

In New Jersey, some 346,000 housing units were damaged or destroyed, with 22,000 units rendered absolutely uninhabitable.

□ 1130

An estimated 11,000 housing choice vouchers will be needed to ensure that residents at least have a roof over their heads this winter.

Approximately 100,000 new storm-related unemployment claims have been filed in New Jersey, 100,000, attributable to the storm.

Over 235,000 people in New Jersey have already registered with FEMA for individual assistance.

Seventy-five percent of New Jersey's small businesses were adversely affected, 10 percent of which, or nearly 19,000 businesses, sustained damage of $250,000 or more, far in excess of the loss to businesses from Katrina. Total business losses are estimated to be a whopping $8.3 billion.

Furthermore, an estimated 10,000 structures statewide will need to be demolished, and 1,000 sites across New Jersey will require remediation after hazardous materials discharge.

Fifty-one schools sustained serious damage, including six that will not reopen this school year.

Transit, roads, and bridges have been damaged to the tune of $2.9 billion, which includes 294 damaged railcars and 75 damaged locomotives.

One of the main roads that runs through my district, Route 35, will require an estimated $120 million to repair.

Power and gas lines are expected to cost roughly $1 billion, understandably, given that, at the peak, power outages left 2.4 million people in the dark.

Waste and water and sewer will require about $3 billion to repair and to protect.

Hospitals, assisted living, and other health facilities will have seen over $150 million worth of storm damage. These facts—and there are many more—underscore the devastation unleashed by Sandy, and it is without precedent.

I would say to my colleagues that no recovery is ever accomplished in a single year, but it's about predictability and the certainty of funds to rebuild and to restore that ensures that the work proceeds immediately, comprehensively, efficaciously, and without interruption.

Mr. Speaker, for days and weeks, like many of my colleagues, after that horrible storm hit, I met with hundreds, even thousands of tenacious women and men who, despite crippling losses, were determined to rebuild.

I'll never forget one resident in Belmar who came up to me the day after Superstorm Sandy, and said, I've lost everything, but at least I'm alive.

We need to now backstop these individuals. We need to ensure that the monies are there, that they flow quickly but prudently to ensure that they can rebuild, and their homes and businesses and community.

You know, Congress assisted those pummeled by Hurricane Katrina in 2005 with $62 billion in a mere 2 weeks. We are now past 2 months. And we need to be clear: The President didn't send to Sandy Relief package to Congress December 7. There was a loss of several weeks, but we do have a proposal. It's about 25 percent less than what the affected States have said they needed.

New Jersey, New York and the other estimates about $80 billion. It's down at approximately $60 billion, so it is less.

And I've seen and gone through the numbers that my State has sent to Congress as well as to the President. They are very well vetted.

Governor Chris Christie used to be a U.S. attorney. Many of the people around him are former prosecutors. Their tough and disciplined. They hate waste, fraud, and abuse, and they're trying to ensure that the money is there in the amounts needed to make a difference in the lives of your constituents.

Finally, let me just say, Mr. Speaker, we need to act now. As my colleague before me said a moment ago, New Jersey especially as well as New York, are contributing States not takers. We get back far less from the Federal Government than we pay in every year. That's a good thing. We have very, very good businesses that really provide employment for our people.

But we've been devastated, and I would hope and urge the Speaker to bring the Sandy Relief bill to the floor as quickly as possible, hopefully today, tomorrow, but as quickly as possible, because the people who have suffered, the victims, deserve no less.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. PELOSI) for 2½ minutes.

Ms. PELOSI. Mr. Speaker, here we are again today in wonder over the decision that we think has been made by the Republican leadership in the House not to bring legislation to the floor that addresses the needs of those affected by Sandy.

Here's the thing: Everyone who heard about this since last night, when so many Members from the New York, New Jersey, Connecticut, Pennsylvania, other delegations came to the floor to speak about this, said, Don't tell me that. Don't tell me that. Don't tell me that, even though everyone has seen very clearly the devastating damage that was caused by Sandy and the need for people to have assistance, the House would not take up the bill.

Don't tell me that, even though the Senate passed a very strong bill addressing the well-documented needs of the people of the affected region, the House is not taking up the bill.

Don't tell me that, although the region, the leadership, the Governor of New York, Governor Cuomo; the Governor of New Jersey, Governor Christie; the Governor of Connecticut, Governor Malloy; the Mayor of New York, Mayor Bloomberg; and others have immediately addressed the needs to the extent possible by them in their areas and have documented the needs very carefully as to what Federal participation was needed, don't tell me that the House of Representatives is going to ignore that.

Mr. Speaker, much has been said about the need for more civility in politics and in government, and that civility perhaps relates to how we speak to each other and how we curb our enthusiasm about issues we care a great deal about and question, perhaps, motivation of others.

But the real civility that people expect is how this Congress treats them and treats their needs. And never is that tested more clearly than in time of a natural disaster, because that's when people feel the most helpless. That's the time when they see whether the government is there for them or not. That is the time where—they're not going to be made whole, most of these people. Hopefully, what they replace will be a good substitute, and maybe it can open a door to something new for them.

But by and large, it's a long road back. But that first few steps of it, the emergency relief that was provided by the localities and now needs to be compensated for, the next stage of recovery is so essential to the character of a community.

As Mr. TONKO said after the storms last year, it affected the character of the communities in his district, and that was 2011. Here we are at the end of 2012, having some of the same regions hit again by nature with the suddenness and the severity and the power of water and, in some places, fire, and just earth-shattering earth, wind, fire in terms of how it affects people.

So as I said last night, nature pulled the rug out from under people, literally and figuratively, in their communities and in their homes, in their schools and in their workplace, and then are we to say to them, Now Congress is going to pull the rug out from under you in terms of your hopes and expectations of meeting the needs?

Don't tell me that. We can't tell our constituents that. That would not rise to the level of civility for us to turn our backs and ignore their needs. It's just plain wrong.

So I'm hopeful that perhaps those making this decision have not been affected by—almost everyplace, whether we're talking about Katrina or California, with earthquakes, drought, flood, fire, you name it, we get it all. With the Northeast being hit, once, twice, within 2011 and 2012, with Missouri, with Iowa—I visited Iowa and saw the effect of the floods there. It was devastating. It's really hard, unless you see it, to understand the impact that it has.

The most compelling reason is the look in the eyes of people who ask, What are we going to do to help? How can we help them? And what is our answer? We're just too busy. It's not a priority.

That's just not civil.

So let's honor our responsibility, which is, again, the place where people place their trust. They ignore government. They don't like government. They don't want this; they don't want that. But in times like this, in time of emergency, is really when we prove our worth.

□ 1140

Let's prove our worth and urge the Speaker to bring this legislation to the floor and quickly deal with it while the Senate is still there, it can be sent to the President for his signature, and hope can flow from here, instead of a sense of wonderment, of ''Don't tell me that.'' Let us be able to tell people we feel their pain. We know what they're going through. We can never really know, but we can certainly appreciate their interest in our doing what is right for them.

So, again, I hope and pray. Because we pray for these people. We pray for them all the time. They're in our prayers. Some have lost loved ones. We pray for them. How much prayer would it take for this Congress to find it in their hearts and in their heads to do the right thing? Let's pray that we don't have to tell them that we weren't there for them.

## 2013: YEAR OF SPENDING CUTS

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

Mr. WILSON of South Carolina. Mr. Speaker, last night, House Speaker JOHN BOEHNER released a statement outlining his many objectives for the new year, stating:

> Now the focus turns to spending. The American people reelected a Republican majority in the House, and we will use that in 2013 to hold the President accountable for the 'balanced' approach he promised, meaning significant spending cuts and reforms to the entitlement programs that are driving our country deeper and deeper into debt.

Our national debt has grown to an outrageous $16 trillion. This not only endangers our national security, but senior citizens are threatened with devalued dollars and it also places our children, grandchildren, and future generations at risk of higher taxes with little to no access to the entitlement programs to which they have faithfully contributed. House Republicans understand and are dedicated to resolving our Nation's debt crisis over the next year by reforming our Tax Code, preserving and protecting our entitlement programs, and controlling our spending.

Congratulations to Coach Steve Spurrier, President Harris Pastides and his wonderful wife, Patricia Pastides, and the USC Gamecocks, as well as Coach Dabo Swinney and President Jim Barker and his dedicated wife, Marcia Barker, and the Clemson Tigers for extraordinary Bowl victories.

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

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 2½ minutes.

Mr. TONKO. Just yesterday, Americans celebrated New Year's Day. They ushered in 2013. As we rang in the new year, the usual message of hope that accompanies the new year—any new year—rang hollow for millions of Americans because of actions taken at the close of that New Year's Day here late last night. People were met with the devastating news that we were not going to take up a measure that would respond to Superstorm Sandy.

And so I rise today to ask the leadership of this House, the people's House, to respond accordingly to the needs of people. I make this request not through some political calculus but rather through the lens of caring and concern and compassion, which ought to be the hallmark of this great institution. We ought not forget that the role that we play here calls upon our moral responsibility to engage our actions and our compassion and empathy for the people we represent or perhaps do not represent directly. Because we, I believe, need to relate to that measurement of compassion to family, friends, neighbors and yes, at times, total strangers.

I make this request sensitized by a situation in my district, the 21st Congressional District at the time, in upstate New York, just about a year-plus before the devastation of Sandy. The torturous treatment of Mother Nature through Irene and Lee on that congressional district, my congressional district, stole lives, wiped away livestock, flooded homes, tore away the hopes and dreams of individuals, and found people abandoned, having lost everything for which they ever worked. And I witnessed how people responded to that tragedy. They picked up and mustered the strength. But they required government to be their partner at that very dark moment in their lives. Having witnessed that pain, having visited communities and having talked with the people, shared tears with the people, I understand that now this situation, in a much more densely populated area of our State, and in neighboring States, requires our assistance, immediate assistance, to respond with compassion.

Mr. Speaker, and leadership of this House, I implore you to respond with compassion and empathy and bring us to the floor to acknowledge and support the funding for Superstorm Sandy.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 1 minute.

Mr. COURTNEY. When Hurricane Sandy struck on October 29 in eastern Connecticut's Long Island Sound with 90-mile-per-hour winds and high tide, it created a path of destruction never seen before. Homes were wiped out, utility infrastructure was wiped out, transportation infrastructure was wiped out. But what was so inspiring about it was that the first responders acted—police, fire, Coast Guard, the Governor of Connecticut, local and municipal officials. They acted. In the weeks since then, the Senate has acted. President Obama declared an emergency on October 30. The Department of Homeland Security acted. The only place that hasn't acted is the House of Representatives, where last night, in the dark of the night, the Speaker announced that he was abandoning the people of northeastern America and allowing the Hurricane Sandy relief bill to die.

That is unacceptable. The people who acted—the first responders, the caregivers, the local officials—they deserve better. The local officials, the Members of Congress for the Northeast, in a bipartisan way, deserve better. The Speaker must reverse his decision. It is time to act today.

## PASS THE SAFER ACT TODAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 1 minute.

Mr. POE of Texas. Mr. Speaker, in 1985, 13-year-old Lavinia Masters went to sleep in her bedroom, which should be the safest place on Earth for children. But a few hours later, she was woken up by an outlaw who sexually assaulted her and put a knife to her throat. She went to the hospital. DNA evidence was taken from her. She did everything she was supposed to do. But that evidence sat, untested, on a dusty crime lab shelf for 20 years while the perpetrator ran loose somewhere in Texas. When the kit was finally tested, police discovered that Kevin Turner had committed this crime. Justice could not occur for Lavinia because the statute of limitations had run.

Mr. Speaker, Lavinia is not alone. There are 400,000 untested rape kits with DNA evidence in the United States. That's why I have introduced, along with Congresswoman MALONEY of New York, the SAFER Act. And we can pass it today by unanimous consent. This is a bipartisan piece of legislation. New Yorker, Texan, Democrat, and Republicans, speaking different languages, it doesn't get much more bipartisan than that. This act would allow funds to be used to test untested sexual assault kits for DNA evidence so justice can be done for victims.

And that's just the way it is.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. HIMES) for 1 minute.

Mr. HIMES. I remember two things of that horrible night that Sandy hit my community in Fairfield County, Connecticut. Of course, I remember the devastation and the damage that we have so detailed this morning in this Chamber. But I remember something else: the response of the people who stood up and said, I will help. The firefighters of Old Greenwich, the Red Cross in Bridgeport, the churches that opened to serve soup and to keep people warm, schools that were opened to address the fact that people didn't have homes.

Mr. Speaker, let me tell you about Lieutenant Russ Neary of the Easton Fire Department, who left his wife and two daughters behind that night to go serve the people of Easton. I attended his funeral several days later because he was killed that night doing what is best about all of us, which is that we stand up and we say we will help in times of crisis.

Every charitable instinct, every dignified thing, everything that is noble about what those people did that night is denied by the decision of the Republican leadership to not bring up Sandy today and to leave desperate and vulnerable people hanging.

Mr. Speaker, reverse your decision now, and let's do the right thing by our people.

## HURRICANE SANDY RELIEF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. CLARKE) for 1 minute.

Ms. CLARKE of New York. I rise today to express my feelings of anger, frustration, and disbelief that the Republican leadership has failed to fulfill this promise on emergency supplemental disaster aid for the victims of Superstorm Sandy. Even though we were able to put our political differences aside to prevent an economic disaster, I am stunned and saddened that this compromise came at the expense of much-needed relief. Like my colleagues from the Northeast, I feel betrayed. There were 305,000 housing units destroyed and 265,000 businesses affected. I'm a proud native of Brooklyn, New York, and it pains me to see the travesties that have affected my hometown.

I'm in disbelief at the callousness with which this matter has been dispensed with. It is truly an embarrassment and a sad day that the House of Representatives has become a body so entangled in political one-upmanship that it is unable to come to the aid of Americans whose lives have suddenly been destroyed and turned upside down. This funding would have not only rebuilt the community's infrastructure but begun the healing process so sorely needed.

Mr. Speaker, we need your leadership today. Please bring this matter to the floor for a vote.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate may not continue past 11:50 a.m.

Mr. HOYER. Is it in order to ask unanimous consent to extend that time for 1 minute?

The SPEAKER pro tempore. Unfortunately, the Chair cannot entertain that request during morning-hour debate.

## GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks on the issue that has been before the House in these 5-minute speeches.

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

There was no objection.

## RECESS

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

Accordingly (at 11 o'clock and 50 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at noon.

## PRAYER

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

God of the universe, we give You thanks for giving us another day.

As the Members of the people's House gather on this final day of the 112th Congress, we ask Your blessing upon them.

May our Nation's citizens be grateful for their service rendered these past 2 years, but also justified in their hope that those returning for the new Congress, and those joining them, will move toward ever greater accomplishments to benefit our great Nation.

Bless as well those who leave Congress this day. May they be successful and productive in whatever their future endeavors.

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 New York (Mr. CROWLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. CROWLEY 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.

## ANNOUNCEMENTS BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from South Carolina (Mr. SCOTT), the whole number of the House is 431.

The Chair will entertain up to 2 requests for 1-minute speeches on each side of the aisle.

## HURRICANE SANDY RELIEF

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

Mr. SERRANO. Mr. Speaker, as the only New York City member of the Appropriations Committee, what I saw last night is something that I hadn't seen before. Whenever a disaster hit any part of this country, we always got together and found the funds to deal with the issue. We didn't worry about what section of the country it was for or what kind of disaster, we came together and we did it.

In addition, there was something that happened last night that doesn't bode well for this House, and that is that if there's one thing we still have in this House, in spite of all our problems, is that when we give our word, we keep it.

We were given their word that that bill would come up last night or no later than today. To walk away from the people of New York, Connecticut, and New Jersey, to walk away from all of these people who are suffering right now is really shameful.

But there is still time. That bill can come before us today and we can pass it today. And that's the call. Don't turn your back on the victims of Sandy. Come together as a country, as a Congress, and take care of this now.

## FAREWELL REMARKS TO CONGRESS

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

Mr. PLATTS. Mr. Speaker, I rise today in my final time as a Member of the House of Representatives, as a retiring Member, just to express my gratitude to the people of the 19th Congressional District of Pennsylvania for allowing me the privilege, for the last 12 years, to serve. I'm a 12-year-term-limit guy, and it's hard to believe that 12 years have come and gone already. But it's been a great privilege to serve with my colleagues on both sides of the aisle. It's been an experience I will forever remember.

In addition to my constituents back home, my wife, Leslie, is in the gallery today, and I certainly have to convey my thanks to her for standing by me all these years. It's certainly a family commitment, and it's one we've been honored to have and to do to the best of our ability in serving the people of our community.

A final comment: While I've loved what I've done and I've been proud to serve, I also understand that what I do and what we do pales in comparison to those who serve us in uniform. As a Nation, as a citizenry, can we always keep our men and women in uniform in our thoughts and prayers, along with their families who make tremendous sacrifices so that we can be so blessed here as Americans.

So thank you again and God bless.

□ 1210

## EXPRESSIONS OF GRATITUDE

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

Mr. DICKS. Mr. Speaker, I rise today to thank my constituents in Washington's Sixth District for supporting me over the last 36 years.

I want to thank Leader PELOSI and Whip HOYER for supporting me as ranking Democratic member on the House Appropriations Committee, and most of all the Democratic Caucus for allowing me to chair the Interior Appropriations Subcommittee and the Defense Subcommittee.

I want to thank Chairman HAL ROGERS and Chairman BILL YOUNG for working together to restore regular order in the Appropriations Committee and strengthening America's military strength and especially supporting the men and women serving us in our services.

I will miss my colleagues in the House, but will remember my friends in this great institution, the people's House.

## 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 12 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1235

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 12 o'clock and 35 minutes p.m.

## SEXUAL ASSAULT FORENSIC EVIDENCE REPORTING ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3250) to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic

Evidence Registry, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. SCOTT of Virginia. Mr. Speaker, reserving the right to object—and I will not object—I would like to thank the gentleman from Texas and his colleague from Texas (Mr. POE) and our colleague from New York (Mrs. MALONEY) for their hard work on this bill, which would make funding for the testing of DNA rape kits and eliminating the rape kit background more possible. A lot of people will be made much safer because of this, and I thank the gentleman for his leadership.

I withdraw my reservation.

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

There was no objection.

The text of the bill is as follows:

S. 3250

*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 ''Sexual Assault Forensic Evidence Reporting Act of 2012'' or the ''SAFER Act of 2012''.

**SEC. 2. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.**

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

''(7) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, including sexual assault and other violent crimes against persons, is carried out in an appropriate and timely manner and in accordance with the protocols and practices developed under subsection (o)(1).'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(6), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).''; and

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

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6)—

''(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(6); and

''(B) shall—

''(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;

''(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);

''(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—

''(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and

''(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;

''(iv) provide that—

''(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or

''(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and

''(v) comply with all grantee reporting requirements described in paragraph (4).

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—

''(A) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(6) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).

''(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:

''(i) The name of the State or unit of local government filing the report.

''(ii) The period of dates covered by the report.

''(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—

''(I) are in the possession of the State or unit of local government at the reporting period;

''(II) are awaiting testing; and

''(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.

''(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.

''(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.

''(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.

''(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.

''(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.

''(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.

''(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.

''(E) OPTIONAL REPORTING.—The Attorney General shall—

''(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and

''(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.

''(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—

''(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

''(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

''(5) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

''(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

''(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

''(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

''(C) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

''(o) ESTABLISHMENT OF PROTOCOLS, TECHNICAL ASSISTANCE, AND DEFINITIONS.—

''(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the SAFER Act of 2012, the Director, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence, including—

''(A) how to determine—

''(i) which evidence is to be collected by law enforcement personnel and forwarded for testing;

''(ii) the preferred order in which evidence from the same case is to be tested; and

''(iii) what information to take into account when establishing the order in which evidence from different cases is to be tested;

''(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;

''(C) the establishment of reasonable periods of time in which each stage of analytical laboratory testing is to be completed;

''(D) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested; and

''(E) standards for conducting the audit of the backlog for DNA case work in sexual assault cases required under subsection (n).

''(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

''(3) DEFINITIONS.—In this subsection, the terms 'awaiting testing' and 'possession' have the meanings given those terms in subsection (n).''.

**SEC. 3. REPORTS TO CONGRESS.**

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 2, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 2; and

(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(o)(4) of the DNA Analysis Backlog Act of 2000, including the number of samples that have not been tested.

**SEC. 4. REDUCING THE RAPE KIT BACKLOG.**

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—

(a) in subparagraph (B), by striking ''2014'' and inserting ''2018''; and

(b) by adding at the end the following:

''(3) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).''.

**SEC. 5. OVERSIGHT AND ACCOUNTABILITY.**

All grants awarded by the Department of Justice that are authorized under this Act shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term ''unresolved audit finding'' means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, state, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

**SEC. 6. SUNSET.**

Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.

AMENDMENTS OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Speaker, I have amendments at the desk.

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

The Clerk read as follows:

Strike all after the enacting clause and insert:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Sexual Assault Forensic Evidence Reporting Act of 2012'' or the ''SAFER Act of 2012''.*

***SEC. 2. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.***

*Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—*

*(1) in subsection (a), by adding at the end the following new paragraph:*

*''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.*

*''(7) To ensure that the collection and processing of sexual assault evidence that is awaiting testing is carried out in an appropriate and timely manner and in accordance with the advisory guidelines developed under subsection (o)(1).'';*

*(2) in subsection (c), by adding at the end the following new paragraph:*

*''(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2014 through 2017, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(6), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded to States or units of local government under paragraph (3).''; and*

*(3) by adding at the end the following new subsections:*

*''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—*

*''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—*

*''(A) submits a plan for performing the audit of samples described in such subsection; and*

*''(B) includes in such plan a good-faith estimate of the number of such samples.*

*''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6)—*

*''(A) may not enter into any contract or agreement with any non-governmental vendor laboratory to conduct an audit described in subsection (a)(6); and*

*''(B) shall—*

*''(i) not later than 1 year after receiving the grant, complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph;*

*''(ii) not later than 60 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of the initiation of an audit under paragraph (1)(A), subject to paragraph (4)(F), include in any required reports under clause (v), the information listed under paragraph (4)(B);*

*''(iii) for each sample of sexual assault evidence that is identified as awaiting testing as part of the audit referred to in paragraph (1)(A)—*

*''(I) assign a unique numeric or alphanumeric identifier to each sample of sexual assault evidence that is in the possession of the State or unit of local government and is awaiting testing; and*

*''(II) identify the date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates;*

*''(iv) provide that—*

*''(I) the chief law enforcement officer of the State or unit of local government, respectively, is the individual responsible for the compliance of the State or unit of local government, respectively, with the reporting requirements described in clause (v); or*

*''(II) the designee of such officer may fulfill the responsibility described in subclause (I) so long as such designee is an employee of the State or unit of local government, respectively, and is not an employee of any governmental laboratory or non-governmental vendor laboratory; and*

*''(v) comply with all grantee reporting requirements described in paragraph (4).*

*''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(B)(i) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.*

*''(4) SEXUAL ASSAULT FORENSIC EVIDENCE REPORTS.—*

*''(A) IN GENERAL.—For not less than 12 months after the completion of an initial count of sexual assault evidence that is awaiting testing during an audit referred to in paragraph (1)(A), a State or unit of local government that receives a grant award under subsection (a)(6) shall, not less than every 60 days, submit a report to the Department of Justice, on a form prescribed by the Attorney General, which shall contain the information required under subparagraph (B).*

*''(B) CONTENTS OF REPORTS.—A report under this paragraph shall contain the following information:*

*''(i) The name of the State or unit of local government filing the report.*

*''(ii) The period of dates covered by the report.*

*''(iii) The cumulative total number of samples of sexual assault evidence that, at the end of the reporting period—*

*''(I) are in the possession of the State or unit of local government at the reporting period;*

*''(II) are awaiting testing; and*

*''(III) the State or unit of local government has determined should undergo DNA or other appropriate forensic analyses.*

*''(iv) The cumulative total number of samples of sexual assault evidence in the possession of the State or unit of local government that, at the end of the reporting period, the State or unit of local government has determined should not undergo DNA or other appropriate forensic analyses, provided that the reporting form shall allow for the State or unit of local government, at its sole discretion, to explain the reasoning for this determination in some or all cases.*

*''(v) The cumulative total number of samples of sexual assault evidence in a total under clause (iii) that have been submitted to a laboratory for DNA or other appropriate forensic analyses.*

*''(vi) The cumulative total number of samples of sexual assault evidence identified by an audit referred to in paragraph (1)(A) or under paragraph (2)(B)(ii) for which DNA or other appropriate forensic analysis has been completed at the end of the reporting period.*

*''(vii) The total number of samples of sexual assault evidence identified by the State or unit of local government under paragraph (2)(B)(ii), since the previous reporting period.*

*''(viii) The cumulative total number of samples of sexual assault evidence described under clause (iii) for which the State or unit of local government will be barred within 12 months by any applicable statute of limitations from prosecuting a perpetrator of the sexual assault to which the sample relates.*

*''(C) PUBLICATION OF REPORTS.—Not later than 7 days after the submission of a report under this paragraph by a State or unit of local government, the Attorney General shall, subject to subparagraph (D), publish and disseminate a facsimile of the full contents of such report on an appropriate internet website.*

*''(D) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that any information published and disseminated as part of a report under this paragraph, which reports information under this subsection, does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved.*

*''(E) OPTIONAL REPORTING.—The Attorney General shall—*

*''(i) at the discretion of a State or unit of local government required to file a report under subparagraph (A), allow such State or unit of local government, at their sole discretion, to submit such reports on a more frequent basis; and*

*''(ii) make available to all States and units of local government the reporting form created pursuant to subparagraph (A), whether or not they are required to submit such reports, and allow such States or units of local government, at their sole discretion, to submit such reports for publication.*

*''(F) SAMPLES EXEMPT FROM REPORTING REQUIREMENT.—The reporting requirements described in paragraph (2) shall not apply to a sample of sexual assault evidence that—*

*''(i) is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or*

*''(ii) relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.*

*''(5) DEFINITIONS.—In this subsection:*

*''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—*

*''(i) the sample has been collected and is in the possession of a State or unit of local government;*

*''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and*

*''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.*

*''(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—*

*''(i) the conviction or acquittal of all suspected perpetrators of the crime involved;*

*''(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or*

*''(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.*

*''(C) POSSESSION.—*

*''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.*

*''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).*

*''(o) ESTABLISHMENT OF ADVISORY GUIDELINES, TECHNICAL ASSISTANCE, AND DEFINITIONS.—*

*''(1) ADVISORY GUIDELINES.—Not later than 18 months after the date of enactment of the SAFER Act of 2012, the Attorney General, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall develop and publish a report containing advisory guidelines the Attorney General considers appropriate for the accurate,*

*timely, and effective collection and processing of sexual assault evidence that is awaiting testing, which shall address appropriate steps in the investigation of cases that might involve sexual assault evidence that is awaiting testing, including only—*

*''(A) how to determine—*

*''(i) which evidence is to be collected by law enforcement personnel and forwarded for testing; and*

*''(ii) what information to take into account when establishing the order in which evidence from different cases is to be tested;*

*''(B) the establishment of a reasonable period of time in which evidence is to be forwarded by emergency response providers, law enforcement personnel, and prosecutors to a laboratory for testing;*

*''(C) systems to encourage communication within a State or unit of local government among emergency response providers, law enforcement personnel, prosecutors, courts, crime laboratory personnel, and crime victims regarding the status of sexual assault evidence to be tested; and*

*''(D) standards for conducting the audit of the backlog of sexual assault evidence that is awaiting testing required under subsection (n).*

*''(2) TECHNICAL ASSISTANCE AND TRAINING.—The Attorney General shall make available technical assistance and training to support States and units of local government in adopting and implementing the guidelines developed under paragraph (1) on and after the date on which the guidelines are published.*

*''(3) DEFINITIONS.—In this subsection, the terms 'awaiting testing' and 'possession' have the meanings given those terms in subsection (n).''.*

***SEC. 3. REPORTS TO CONGRESS.***

*Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as amended by section 2, the Attorney General shall submit to Congress a report that—*

*(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;*

*(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 2; and*

*(3) summarizes the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports established under section 2(o)(4) of the DNA Analysis Backlog Act of 2000, including the number of samples that have not been tested.*

***SEC. 4. REDUCING THE RAPE KIT BACKLOG.***

*Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended—*

*(a) in subparagraph (B), by striking ''2014'' and inserting ''2018''; and*

*(b) by adding at the end the following:*

*''(3) For each of fiscal years 2014 through 2018, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (1), (2), and (3) of subsection (a).''.*

***SEC. 5. OVERSIGHT AND ACCOUNTABILITY.***

*All grants awarded by the Department of Justice that are authorized under this Act shall be subject to the following:*

*(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.*

*(2) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).*

*(3) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.*

*(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—*

*(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and*

*(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.*

*(5) DEFINED TERM.—In this section, the term ''unresolved audit finding'' means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.*

*(6) NONPROFIT ORGANIZATION REQUIREMENTS.—*

*(A) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.*

*(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.*

*(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.*

*(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.*

*(8) CONFERENCE EXPENDITURES.—*

*(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.*

*(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.*

*(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.*

*(9) PROHIBITION ON LOBBYING ACTIVITY.—*

*(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—*

*(i) lobby any representative of the Department of Justice regarding the award of grant funding; or*

*(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.*

*(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated subparagraph (A), the Attorney General shall—*

*(i) require the grant recipient to repay the grant in full; and*

*(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.*

***SEC. 6. SUNSET.***

*Effective on December 31, 2018, subsections (a)(6) and (n) of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(6) and (n)) are repealed.*

Amend the title so as to read: ''A bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs, and for other purposes.''.

Mr. SMITH of Texas (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The amendments were agreed to.

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.

## SPACE EXPLORATION SUSTAINABILITY ACT

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6586) to extend the application of certain space launch liability provisions through 2014, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Space Exploration Sustainability Act''.*

***SEC. 2. ASSURANCE OF CORE CAPABILITIES.***

*Section 203 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18313) is amended by adding at the end the following:*

*''(c) SENSE OF CONGRESS REGARDING HUMAN SPACE FLIGHT CAPABILITY ASSURANCE.—It is the sense of Congress that the Administrator shall*

*proceed with the utilization of the ISS, technology development, and follow-on transportation systems (including the Space Launch System, multi-purpose crew vehicle, and commercial crew and cargo transportation capabilities) under titles III and IV of this Act in a manner that ensures—*

*''(1) that these capabilities remain inherently complementary and interrelated;*

*''(2) a balance of the development, sustainment, and use of each of these capabilities, which are of critical importance to the viability and sustainability of the U.S. space program; and*

*''(3) that resources required to support the timely and sustainable development of these capabilities authorized in either title III or title IV of this Act are not derived from a reduction in resources for the capabilities authorized in the other title.*

*''(d) LIMITATION.—Nothing in subsection (c) shall apply to or affect any capability authorized by any other title of this Act''.*

***SEC. 3. EXTENSION OF CERTAIN SPACE LAUNCH LIABILITY PROVISIONS.***

*Section 50915(f) of title 51, United States Code, is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.*

***SEC. 4. EXEMPTION FROM INKSNA.***

*Section 7(1)(B) of the Iran, North Korea, and Syria Nonproliferation Act (50 U.S.C. 1701 note) is amended—*

*(1) by striking '', or for the purchase of goods or services relating to human space flight, that are''; and*

*(2) by striking ''prior to July 1, 2016'' and inserting ''prior to December 31, 2020''.*

Mr. SMITH of Texas (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

## HOUR OF MEETING ON TOMORROW

Mr. DOLD. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow.

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

There was no objection.

## ADJOURNMENT

Mr. DOLD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 3, 2013, at 11 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

9017. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Patrick J. O'Reilly, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

9018. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Certification Related to Condition 27(C)(i) of Senate Executive Resolution 75 to Advise and Consent to the Ratification of the Chemical Weapons Convention, Subject to Certain Conditions; to the Committee on Foreign Affairs.

9019. A letter from the Secretary, Department of Education, transmitting Semiannual Report to Congress of the Office of the Inspector General for the period April 1, 2012, through September 30, 2012; to the Committee on Oversight and Government Reform.

9020. A letter from the Auditor, District of Columbia, transmitting a report titled, ''Audit of the Closure and Consolidation of 23 D.C. Public Schools.''; to the Committee on Oversight and Government Reform.

9021. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's report on competitive sourcing efforts for fiscal year 2012; to the Committee on Oversight and Government Reform.

9022. A letter from the Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period April 1, 2012, through September 30, 2012; to the Committee on Oversight and Government Reform.

9023. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period April 1 through September 30, 2012; to the Committee on Oversight and Government Reform.

9024. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the Uniformed and Overseas Citizens Absentee Voting Act for 2012; to the Committee on House Administration.

9025. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2012 through December 31, 2012 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112—160); to the Committee on House Administration and ordered to be printed.

## 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. BACHUS: Committee on Financial Services. Fourth Semiannual Report on the Activity of the Committee on Financial Services for the 112th Congress (Rept. 112–742). Referred to the Committee of the Whole House on the state of the Union.

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. Legislative Review and Oversight Activities of the Committee on Foreign Affairs, One Hundred Twelfth Congress (Rept. 112–743). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCKEON: Committee on Armed Services. Fourth Semiannual Report on the Activities of the Committee on Armed Services for the One Hundred Twelfth Congress (Rept. 112–744). Referred to the Committee of the Whole House on the state of the Union.

Mr. HALL: Committee on Science, Space, and Technology. Fourth Semiannual Report of Activities of the Committee on Science, Space, and Technology (Rept. 112–745). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. STEARNS introduced a resolution (H. Res. 845) amending the Rules of the House of Representatives to establish a standing Committee on Repeals; which was referred to the Committee on Rules.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 751: Ms. ESHOO, Mr. SCHIFF, and Ms. MOORE.

H.R. 3395: Mr. RAHALL.

H.R. 3625: Mr. PERLMUTTER.

H.R. 4373: Mr. MARKEY.

H.R. 5989: Mrs. CAPPS, Mr. LOEBSACK, Ms. NORTON, and Mr. CICILLINE.

H.R. 6490: Mr. MEEHAN, Mr. BISHOP of Georgia, Mr. CICILLINE, Mr. BISHOP of New York, Mr. PAULSEN, Mrs. MILLER of Michigan, and Mr. MCGOVERN.

H.R. 6589: Mr. GOHMERT.

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United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

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# Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Eternal God, today give our Senators the second wind of Your passion, power, and perseverance. Fill them with the assurance of Your presence. May they seek to live with the knowledge that You have chosen them to serve You and country. Protect their thoughts and actions from temptation as You control all they say and do by the power of Your spirit. May their lives bring glory to Your Name. Lord, remind them that they pass through this life but once, so that they must not take this day for granted but live to honor You.

We pray in Your great Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

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

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, would the Chair announce the business of the day.

## SCHEDULE

The PRESIDENT pro tempore. Mr. President, under the previous order, the leadership time is reserved. Under the previous order, the Senate will be in a period of morning business until 1:30 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each.

Mr. DURBIN. Mr. President, it is my understanding that the majority leader is going to yield the floor to me at this moment.

The PRESIDENT pro tempore. The Senator from Illinois.

## CONGRATULATING THE MAJORITY LEADER

Mr. DURBIN. Mr. President, the State of Nevada was admitted to the Union in 1864. Since 1864 there have been 25 Senators in its 148-year history. Today HARRY MASON REID becomes the longest serving Member of Congress in the history of the State of Nevada.

Senator REID was elected to the U.S. House of Representatives the same year I was elected, 1982, and became a Member of the House in 1983. He became a Member of the Senate in 1987. He has served with great distinction in both Houses of Congress, serving his State of Nevada, and today is the highest ranking Democrat in the Senate, serving as its majority leader.

I daresay, Mr. President, that you and I would probably not really know anything about the town of Searchlight, NV, were it not for HARRY REID. HARRY REID has told us so many stories of his youth and his background in that tiny town and what brought him to this station in life today. I almost feel that if there were a town or high school reunion, I could attend it with HARRY and look around and recognize a lot of people there because I have certainly heard a lot of stories about his youth and the people who have had a dramatic impact on his life from the time he was growing up in Searchlight, NV.

We know he came from modest circumstances. His family raised him in a very small home without indoor plumbing. He attended a two-room elementary school in Searchlight, NV. As a child, Senator REID's father was a hard rock miner and his mother took in laundry. He says of his parents that his father gave him quiet and his mother gave him confidence.

Opportunities were scarce in Searchlight, but HARRY made the most of what he had. His book ''The Good Fight'' has a great opening paragraph that I would like to share with everyone because it says so much about what life must have been like in the town of Searchlight.

HARRY wrote in his book:

I come from a mining town. But by the time I came along—December 22, 1939—the leading industry in my hometown of Searchlight, NV, was no longer mining, it was prostitution. I don't exaggerate. There was a local law that said you could not have a house of prostitution or a place that served alcohol within so many feet of a school. Once, when it was determined that one of the clubs was in violation of the law, they moved the school.

It says a lot about Searchlight. It also says a lot about the circumstances he faced growing up. He made the most of what he had.

Between hitchhiking more than 40 miles and staying with extended relatives, HARRY was able to attend Basic High School, the nearest high school to Searchlight. While at Basic High in Henderson, he met two people who dramatically changed his life—Landra Gould, who would become his wife of 53 years and counting, and Mike O'Callaghan, who was a coach, a teacher, a mentor, and a friend. HARRY REID said of Mike O'Callaghan that he was the toughest man he ever met.

HARRY REID played high school baseball with Rey Martinez, who would become his chief of staff, and Donnie Wilson, who would also go to work for REID in Washington.

I once invited ''Mr. Cub,'' Ernie Banks, to my office, and I invited HARRY REID—a former baseball player in his youth—to come up and meet Ernie Banks.

Ernie Banks looked in his eye and said: What position did you play, HARRY?

HARRY said: I played catcher.

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



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Ernie Banks said: I don't believe it. Get in the position.

At that point, I heard the bones creaking as HARRY went down in the catcher's crouch in my office in front of Ernie Banks, and we all cheered.

He won his first election in high school when he ran for junior class treasurer. Of course he would win because Landra, his wife-to-be, wrote his speech and got him elected. Rey Martinez managed his campaign when he became the senior class president.

He also ran into the fellow I mentioned earlier, Mike O'Callaghan, who had such a profound impact on his personal and political life. Behind HARRY'S desk, he has a picture of his friend and mentor Governor O'Callaghan.

HARRY REID also took up boxing after he was inspired by Mike O'Callaghan—as I said, the toughest man he ever met, in HARRY'S memory.

In his book ''The Good Fight,'' HARRY said:

> There are sluggers, and then there are boxers. I became a pretty good boxer. I could assess situations well, and I learned to recognize and exploit an opposing fighter's weaknesses. I could hit hard, and I could take a punch.

Mr. President, you and I know that is a perfect background for the business we are in today.

With scholarship money Mike O'Callaghan had helped put together for him, HARRY REID left for the College of Southern Utah in Cedar City. He hated being so far away from Landra, so he moved back to Henderson for the summer.

Despite the best efforts of Landra's father to discourage him, HARRY married Landra. They eloped in September of 1959. The newly married couple moved to Logan, UT, where he would finish college while renting from a loving Mormon family, Matthew and Louise Bird. HARRY REID and Landra decided to join the Church of Jesus Christ of Latter Day Saints based on this wonderful family who served as their landlords. He told me many times that he didn't come from a religious family. In his book, he said that the only family religion he remembered was their devotion and love for Franklin Delano Roosevelt in his house.

Mike O'Callaghan left teaching high school for Democratic politics at that point, and he urged HARRY to move to Washington, DC, to attend law school. HARRY REID put himself through law school by working nights as a U.S. Capitol police officer. In his book are pictures of HARRY in uniform as a Capitol police officer—a job that O'Callaghan had helped line up for him—when he was a law student.

He returned to Nevada after law school and served as Henderson city attorney before being elected to the Nevada Assembly in 1968.

In 1970, at age 30, HARRY REID ran for Lieutenant Governor of Nevada, with his friend and mentor Mike O'Callaghan running for Governor. They won the race, and HARRY REID served as Lieutenant Governor from 1971 until 1974, becoming a friend to my mentor Paul Simon, who was then Lieutenant Governor of Illinois.

HARRY lost his race for the U.S. Senate in 1974 when the seat was vacated by Alan Bible, but he lost by fewer than 600 votes. Governor O'Callaghan then asked him to serve as chairman of the Nevada Gaming Commission.

When Nevada's population growth led to an additional seat in Congress in 1982, HARRY REID ran for the new seat and won, and that is when I first met him. He served two terms in the House from 1983 to 1987 before running for the Senate. In 1986 REID won the Democratic nomination for the Senate seat of retiring two-term incumbent Republican Senator Paul Laxalt.

From 1999 to 2005 HARRY REID served as Senate Democratic whip, as minority whip from 1999 to 2001 and again 2003 to 2005, and then as majority whip from 2001 to 2003. During those years as whip, HARRY REID lived on the floor of the Senate. He developed a real understanding not just of the rules and procedures of the Senate but of the institution and the Members.

Mike O'Callaghan died of a heart attack while attending daily Catholic mass in 2004, so he didn't live to see his good friend elected as minority leader in 2005 or, obviously, as majority leader in the Senate. But I know that every single day HARRY serves in public life, Mike O'Callaghan is in his heart.

I listened this morning to some of the analysts about what just happened with this historic vote yesterday in the Senate. Some of them this morning, who know a little bit about what really happens here, were diminishing the role played by HARRY REID. I can tell everyone that on the day leading up to the vote, the last day, December 31, I spent the better part of 16 hours in HARRY'S office as the negotiations went back and forth. There were three parties to that negotiation: Senator MCCONNELL, the President of the United States, and HARRY REID. There was not a minute that passed that e-mails were not transferred back and forth to put together the coalition that passed this historic measure and avoided the economic disaster that otherwise would have occurred. It was not the first time I have seen HARRY in that position—behind closed doors, without a lot of fanfare, playing a critical role in the passage of legislation that really makes a difference for the average working families of America.

A few years ago I worked with him as he led the effort to pass the Health Care Reform Act, a measure on which I believe he shares my thinking—it is one of the most important pieces of legislation we have ever worked on in our lives. It never, ever would have become law if it were not for his skill, determination, and the trust the Democratic majority had in their leader, HARRY REID.

This is a day, of course, in Nevada history as much as American history as HARRY becomes the longest serving Congressman and Senator in the State of Nevada.

I recall one particular visit to his office. I dropped in frequently there to see what was going on and to chat with him about the business of the Senate and life itself. When I came in, I saw a young rock group called the Killers sitting in his office. Yes, that is their name, the Killers, and they are from Nevada. HARRY told me this young group, popular as they are in other places, was especially popular in Nevada because they performed the Nevada State song, which is entitled ''Home Means Nevada.'' When I think about this historic moment today when HARRY becomes part of the history of his State, I recall one stanza from that song. It says, ''Deep in the heart of the golden west, home means Nevada to me.'' In all of my conversations over all the years, time and again the conversations always return to his home State of Nevada, his hometown of Searchlight, and the people he loves so much to represent in the Senate.

It has been an honor to serve with this great man. I am glad he achieved this great moment in history on behalf of Nevada and the United States.

The PRESIDENT pro tempore. The majority leader.

Mr. REID. No one would believe this, but I did not know Senator DURBIN was going to say a word. Most of what he said is unimportant, but I appreciate his efforts to try to make me better than what I am. I really do appreciate his friendship.

We came as a couple of anxious people to the House of Representatives 30 years ago. Speaking for both of us—and I can do that—it was such a wonderful experience. During the first 3 or 4 months I was in the House of Representatives, I kept thinking I was going to have to pay somebody because I was having such a good time. It took me a while to figure out that the taxpayers were paying me for doing a job that was so much fun.

I appreciate very much Senator DURBIN's friendship. I so admire and appreciate him for all he has done for me, the State of Illinois, and the country. He is absolutely right about this—he had a mentor by the name of Paul Simon who had the good fortune to serve, as we were both Lieutenant Governors at or near the same time. We served in the House of Representatives together and we served in the Senate together. What a wonderful human being. Senator DURBIN and I have talked about this. Senator Simon was to DICK DURBIN what Mike O'Callaghan was to me. He was not only the toughest man I ever knew but the most honest. When he would drive, he would never, ever exceed a posted speed limit. He is somebody whom I will always remember. I could never be like him.

In addition to being tough and honest, he could swear like no one we have ever heard, but only he could do it, this massive man who had almost 200 amateur fights before going to Korea and

losing his leg. He was such an exemplary person in my life. So I appreciate Senator DURBIN mentioning him. But to me, he was like this great man Paul Simon. I don't know how many books he ended up writing. I am sure it is 15 or 20. He never went to college. He was a brilliant man. So I thank Senator DURBIN very much. I appreciate it a lot.

## HELPING THE VICTIMS OF HURRICANE SANDY

Mr. REID. Mr. President, I am stunned by what didn't happen in the House of Representatives last night. I appreciate that they, with the support of all but a handful of Democrats and just a handful of Republicans, passed something to keep us from going over the fiscal cliff, and that is admirable. NANCY PELOSI deserves such accolades for carrying more than her share of the weight over there in passing this bill. But one of the things they didn't do last night—I wish to read into the RECORD a letter, an e-mail, from a person by the name of Barrie Kolstein, K-O-L-S-T-E-I-N:

> Owner of perhaps the oldest and one of the most recognized violinmaking shops in the United States, located in Baldwin, New York.
>
> Shop was severely damaged by recent hurricane Sandy. Owned buildings and occupied them for over 32 years without any problems at all.
>
> This storm compromised my building inside and outside, with facilities within the building backing up, pipe breakage and roof damage, plus the horrid conditions that literally assaulted all the buildings in my immediate area.
>
> Storm decimated my building as well as the neighboring buildings that perhaps was one of the more stable and viable business areas of Baldwin.
>
> My shop has been closed since the storm.
>
> We are doing our best to afford the restoration of the building and repair the numerous fine old pedigree string instruments (violins, violas, cellos and basses) that were so horribly damaged.
>
> We lost machinery, tools, supplies and most of our filed records.
>
> This is a true nightmare, that at the age of 63, I never thought I would be faced with.

There are tens of thousands of people in New York, tens of thousands of people in New Jersey, and other parts of the Northeast who have had their lives turned upside down. I am dismayed and saddened that the House of Representatives walked away last night—didn't even touch this—after we spent so much time here on the floor doing something to help a beleaguered part of our country. I was happy to help with Katrina. I was happy to help with the violent storm that hit Joplin, MO. We all were. We moved in quickly.

It has been months now and these people are still suffering. Governor Cuomo and Governor Christie have done their best with the limited resources that are available when a disaster such as this occurs. This is known in the law as an act of God. No one knew it was coming. No one had any idea this terrible storm would do the damage it did. It was the perfect storm because we had different elements working against each other to create this terrible situation.

So, I repeat, I am dismayed and saddened the House of Representatives adjourned last night without addressing the pressing needs of these people. There are still hundreds of thousands of people who don't have a place to live, whose homes and businesses were damaged or destroyed, as I have indicated from Mr. Kolstein, by this terrible disaster. It is heartbreaking to leave these victims of Sandy stranded and waiting for help.

This storm damaged or destroyed more than 700,000 homes in New York and New Jersey and New England. We have the power to help our countrymen put their lives back together. We did it here in the Senate. We sent it to the House of Representatives, but they walked away, just as they did with postal reform and just as they did with agricultural reform, our farm bill, and just as they have walked away from so many different things this year. They left these people without help. They are gone; they have left; they are not in Washington. I am disappointed we have turned our backs—and I don't include myself in this operation, or anyone in this Senate; we worked on a bipartisan basis to get this done, but I am deeply disappointed the House of Representatives has turned their backs on people who are suffering.

Please understand, everybody, this does not include the leadership of Leader PELOSI or Leader HOYER. They have done their best to gather their troops to help at any time for anything that is needed.

To walk away from these people is not who we should be as Americans. Wintertime is now here. When disaster strikes, be it fire, flood, storm, or earthquake, we in the past haven't paused and we don't delay, but we have here. As Americans, we respond with haste at a national level when American lives are at stake and American communities are shattered. It is no wonder how people feel about Congress: They just left town.

They need to do better over there. We should have a postal reform bill. We should have a farm bill. The farm bill, by the way, saves $24 billion—not million but billion. DEBBIE STABENOW, the chairman of the Agriculture Committee, worked so hard to get this done. We had a bipartisan bill that passed the Senate overwhelmingly. Why did the House of Representatives drop it? Well, they dropped it because the same porkbarrel programs that help people who don't need help in that farm program were taken out of the bill. So now we are on a short-term extension. The benefits these people don't deserve they are still getting.

They need to do better over there. Compromise is hard; we know that. Sometimes compromise doesn't happen when we want it. Compromise sometimes doesn't satisfy either side. But as I have said here and other places, when I practiced law, we had the concept it was a good settlement when both sides walked out unhappy, having reached a settlement, and that is what we did here the night before last. Actually, it was yesterday, because it was well after midnight. It was a piece of legislation we weren't all elated about, but it moved the ball forward.

We have so many more hard decisions to make in the year ahead. So unlike others behind us in this Capitol, I am not going to stoop to name-calling; I just want people to work and do what they need to do. Let the House of Representatives work its will. Let Democrats and Republicans in the House of Representatives debate. They have an easier time of it because they can set rules on how to debate. They have the Rules Committee where they can set how long they debate and on what subjects, but let the body work its will, which hasn't happened.

It is a sad day when we turn our backs on millions of our fellow Americans during their time of greatest need, and that certainly is what has happened here.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Vermont.

Mr. LEAHY. Mr. President, I know the distinguished majority leader is about to propound a unanimous consent request. I ask unanimous consent to proceed for 1 minute.

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

## CONGRATULATING THE MAJORITY LEADER

Mr. LEAHY. Mr. President, the majority leader is not a person to praise himself, but I will.

I totally agree with the comments he made about how the session has virtually ended.

It is only in recent times that I find myself presiding as often as I have because of other circumstances, and I am glad I was here to open the Senate today to hear the distinguished senior Senator from Illinois speak about the distinguished senior Senator from Nevada. We first met when he was running for the Senate seat at a campaign event in another State. We worked together at that time and became friends, and from that day on we have actually spoken many times with our wives about that meeting in Florida.

I consider it a privilege that I was on the floor today to hear the words of the Senator from Illinois and I join in praising my friend from Nevada. He is a dear and wonderful friend. His wife and my wife are dear wonderful friends. We both married way above ourselves. But I feel privileged to serve every day with the Senator from Nevada.

I yield the floor.

Mr. REID. Mr. President, I appreciate very much the chairman of the Judiciary Committee and the President pro tempore of the Senate saying those

nice things about me. It is an honor to have gotten to know PAT LEAHY so well. He has broken all records. My record is minimal compared to his in Vermont: the first Democrat elected and he has been in the Senate since 1972, a wonderful Senator and a good friend. I appreciate his words very much.

I will mention, because I have here before, his lovely wife Marcelle is a nurse, and during my wife's travail with a terrible automobile accident and breast cancer—she is doing well and it appears she is beating both of those so far—Marcelle has done a lot of good things for my wife, with her nursing skills, calling and telling her what she is going through is what happens to a lot of people and she is going to be a lot better. I appreciate very much Senator LEAHY, but also his lovely wife Marcelle.

## UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Mr. President, last December President Obama appointed a person by the name of David Medine to serve as the chairman of the bipartisan Privacy and Civil Liberties Board. After 9/11, Congress created this five-member board to make recommendations to protect the civil liberties of all Americans during a time of war.

Mr. Medine is well suited to lead this board. He currently works on financial privacy issues for the Securities and Exchange Commission. Previously, he was a partner in a huge law firm by the name of Wilmer Hale and he worked at the Federal Trade Commission on Internet privacy and financial privacy laws.

Earlier this summer, we worked out an agreement with Senate Republicans to confirm the part-time members of the board, two Republicans and two Democrats. Republicans agreed that Mr. Medine, the Democratic nominee for chairman and the only full-time board member, would be confirmed during the lameduck session. It is my understanding that Republicans have encountered an issue that prevented the Senate from including Mr. Medine in our nominations package. So I will ask unanimous consent on this nomination at this time. I know there will be a Republican objection. Early in the next Congress, I plan to schedule a majority vote on this nomination and I look forward to the cooperation and good faith from Senate Republicans.

I ask unanimous consent the Senate proceed to executive session to consider Calendar Nos. 721 and 722; that the nominations be confirmed, 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, and any 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. Is there objection?

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, reserving the right to object, and I will object, I would point out that the majority has had this nomination pending since May 17 when it was reported out of the Judiciary Committee on a party-line vote. Not only for myself, but I think for a lot of people on my side of the aisle, this nomination is controversial and should not be moved via unanimous consent in the waning hours of this Congress. If this nomination were as important as the majority now seems to believe it is, this would have warranted debate and negotiations earlier in the session. Instead, the majority now seeks to raise this nomination in order to avoid having to resubmit the nomination for consideration.

I think I have shown a very different willingness to accommodate the majority even on controversial nominations. For example, we agreed to remove William Baer just last week despite the controversy surrounding his nomination, and he was subsequently confirmed. So I am not opposed to discussing controversial nominations, including this one, but they need to be done in a way that allows debate and discussion prior to a vote.

Given the controversial responses to written questions this nominee provided, there is need for debate and discussion on this nomination by the full Senate, not unanimous consent here at the last minute. Therefore, I object to the nomination being considered at this time.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

## HURRICANE SANDY SUPPLEMENTAL APPROPRIATIONS

Mr. DURBIN. Mr. President, I want to join in the remarks of the majority leader. What a disappointment to learn that last night the House of Representatives failed to bring up the supplemental appropriations bill, which is to provide relief for the victims of Hurricane Sandy.

The Senate passed this bill not that long ago—just a few days ago. Mr. President, $60.4 billion in a supplemental appropriations passed here by a vote of 62 to 32—a strong bipartisan vote. It did not include everything the Governors of New York and New Jersey and other States had asked for, but it did provide critical funding to help those who lost their homes and their businesses.

We expected the House to act on this bill. To say this is a no-brainer is to overstate the obvious. We rally as an American family when many of us are in need. I can remember this very well in my own State.

In 2008, Illinois and other Midwestern States had a similar situation. A massive storm was heading our way and flooding from the Mississippi River was inevitable. I visited several towns along the Mississippi back then, including Quincy, IL. Then-Senator Obama and I came to Quincy and pitched in—filling sandbags with thousands of other volunteers.

We worked through Father's Day to help mitigate the oncoming flood, but it still came, and there was serious damage. Just like the people in New York and New Jersey, these people did everything they could before and after and during the storm to save their homes, businesses, and the lives of their loved ones. But the magnitude of our 2008 storm was too big for local and State governments to handle.

The magnitude of the flood, just like Hurricane Sandy, required action from Congress and the Federal Government. We passed a supplemental appropriations bill for Illinois and the Midwest in 2008. That aid was essential to helping the victims of that flood in our State.

I have served in Congress for over 20 years, and every time—every time—some section of our Nation has been victimized by a disaster, we have come together as an American family to help those in need. We draw on our national treasure and the efforts of American people across the country to come to the rescue of our neighbors in need.

The time to help New York and New Jersey and other States victimized by Hurricane Sandy is now, but the Republican leadership in the House has abandoned those victims with a decision to let this bill die. In New York and New Jersey more than 651,000 homes were damaged or destroyed, 463,000 businesses were hurt and need assistance. According to the Senators from those States, that either matches or exceeds the magnitude of the disaster of Hurricane Katrina that struck the States on our southern coast on the Gulf of Mexico.

Hundreds of miles of roads and rail were damaged and will need to be repaired. However, the rebuilding is on hold because of a political decision by the Speaker of the House and Republican leadership. I can tell you, I know full well—because Senator SCHUMER is in the leadership, and I have watched as he and Senator GILLIBRAND, Senator MENENDEZ, Senator LAUTENBERG, and others have worked to build a bipartisan coalition in the House to pass this critical measure—all it needed was to be called by the Speaker, and the Speaker refused.

But there is still time. There is time in the 112th Congress for the House to pass the Senate bill. I urgently beg the Speaker of the House of Representatives to put any political concerns aside, and for the sake of these victims and victims of other disasters across America to pass this critically important bill as quickly as possible.

I yield the floor.

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

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

## FHA EMERGENCY FISCAL SOLVENCY ACT

Mr. BROWN of Ohio. Mr. President, on Sunday, we confirmed Carol Galante as the new Commissioner of the Federal Housing Administration, FHA. I want to thank my 19 Republican colleagues who supported her nomination. It was an important step forward for FHA. I give a special thanks to Senator CORKER for his work, my colleague on the Senate Banking Committee.

My Democratic colleagues and I have cleared an important commonsense piece of legislation on our side. It was passed overwhelmingly in the House. But we have received little cooperation from some of our Republican colleagues because it does not include everything they want.

It is clear that FHA's Mutual Mortgage Insurance Fund is facing significant financial issues. Two years ago, Senator BEGICH and I introduced an FHA reform bill. For a time we collaborated with Senator VITTER from Louisiana, who has worked with me on legislation with the GAO and other things, and with Senator ISAKSON on that effort, so I know many of my Republican colleagues are committed to these issues. Unfortunately, some of their conservative colleagues blocked the legislation that would have given FHA additional authority to protect taxpayers.

We should not wait any longer. This is technically the last full day of this Congress. We should not wait any longer to enact sensible measures that will put FHA back on a path to financial stability.

With limited time remaining in the legislative session, passing the House's FHA reform legislation, H.R. 4264, is a necessary and responsible step to give FHA additional authority to protect taxpayers. Passing this bill will not prevent us from doing more next session. That is what I want to do. I think most Members in both parties in the Banking Committee want to do that. I expect we will consider reforms very soon.

In the meantime, though, we should pass this commonsense, bipartisan reform measure. As I mentioned, it passed the House of Representatives by a margin of 402 to 7. So it has support all across the political spectrum, from people of all views and philosophies and ideologies. Unfortunately, a small number of people continue to stand in the way of these taxpayer protections.

I do not plan to ask unanimous consent today. I would like to do that; I will not do that. I am hopeful that those who oppose this might be willing to come to the floor and discuss this and see if we can move this legislation on the last full day of this Congress, so we can then take that step and then work this coming year in the new Congress on further reforms.

I yield the floor.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

## CHALLENGE TO FUTURE CONGRESSES

Mr. CONRAD. Mr. President, I thank my colleagues. These will be my final remarks to the Senate, and I thought I would share with my colleagues my observations on what has just occurred to put in perspective where I believe we are and where we are headed and to lay down a challenge for my colleagues as I depart. A very significant challenge remains for the Congress and the country, and I hope very much that we find the courage to take on these challenges. It is incredibly important to the future strength of our Nation, and we can do it. We have done much tougher things in the past, and we can certainly take on these challenges.

On New Year's Eve we were called into session and were briefed by the Vice President and other staff from the White House with respect to the deal that was before us. I told our colleagues on that night that I believed we had to support the proposal before us because to fail to do so would send us back into a recession. Most economists said the economy would shrink 4 percent in the first quarter, 2 percent in the second quarter, that 1 million more people would be unemployed, and that the 2 million people now on unemployment insurance would lose that and would have no safety net. So, Mr. President, I saw no alternative but to support this agreement.

At the same time, I told my colleagues: I hate this agreement. I hate it with every fiber of my being because this is not the grand bargain I had hoped for and worked for and believe is so necessary to the future of the country. This is not, by any standard, a deficit reduction plan. As necessary as it is, no one should be misled that this deals with our deficit and debt because it only makes our debt circumstance worse.

Now, some question that assessment, but that is precisely the assessment the Congressional Budget Office has come to. I would like to take just a few moments to put in perspective where we are.

The United States is borrowing 31 cents of every dollar it spends. That is an unsustainable circumstance. It is an improvement somewhat because we were borrowing 40 cents of every dollar we spend. So there has been some modest improvement. But, this cannot go on. It has to be addressed or we will weaken the Nation.

This chart puts in perspective the spending and revenue of the United States going back to 1950. Looking back 60 years, the red line is the spending line, and the green line is the revenue line. You can see our spending is close to a 60-year high. We are not quite at a 60-year high because there has been some improvement in the last 2 years. We are close to a 60-year low on revenue. So our colleagues who say this is just a spending problem are missing the point. This is a problem of the relationship between spending and revenue. The gap—much higher spending than we have revenue—is what leads to deficits and leads to additions to the debt.

The path we are on, we are told by the Congressional Budget Office, will take us from a gross debt of 104 percent of our gross domestic product today to 115 percent by 2022 if we fail to act. So further action is absolutely essential.

Why? Why does it matter if our gross debt is more than 100 percent of our gross domestic product? Well, because the best work that has been done on this question—by Rogoff and Reinhart—concluded, after looking at 200 years of economic history, the following. I quote from their study:

> We examine the experience of 44 countries spanning up to two centuries of data on central government debt, inflation and growth. Our main finding is that across both advanced countries and emerging markets, high debt/GDP levels (90 percent and above) are associated with notably lower growth outcomes.

To sum it up, Mr. President, when we have a gross debt of more than 90 percent of our GDP, we are headed down a path that dramatically reduces our future economic growth. That means we are reducing future economic opportunity for the people of our country. That is why this matters, because it will retard and restrict economic growth for our people.

Here is what the Congressional Budget Office tells us about the long-term path we are on, in terms of debt held by the public. CBO tells us we are headed for a circumstance where publicly held debt will be 200 percent of our GDP.

So, we are on a course that is utterly unsustainable.

If we look at what has been done—because those who say nothing has been done are not giving the full story either—the fact is we passed a Budget Control Act in place of a budget. We put in place a law in place of a budget resolution. That budget law dropped discretionary spending to historic lows. We were at—in the year 2012—8.3 percent of GDP going to domestic spending. The Budget Control Act, the law that was passed, will take that down to 5.3 percent of GDP going for discretionary spending. That is a historic low.

So when someone says nothing has been done, that is not accurate. We cut domestic spending, and cut it in a very significant way. We cut it to a level

that will be a historic low, but that doesn't mean the problem has been solved; nowhere close to it, because at the same time the nondiscretionary accounts are rising dramatically. Medicare, Medicaid, and other Federal health spending is the 800-pound gorilla. That is where we see such a dramatic increase in spending, both in real and nominal dollars, and as a share of GDP.

Back in 1972, these health care accounts consumed 1.1 percent of our gross domestic product. By 2050, if we don't do something, they will consume 12.4 percent. That is totally unsustainable. It is gobbling up bigger and bigger chunks of our budget, putting increasing pressure on our deficits and debt, and eating up the ability of the United States to have the flexibility to respond to crises that might occur.

The aging population is the primary driver of Medicare, Medicaid, and Social Security cost growth. We can see in this chart, the effect of cost growth is the yellow part; the effect of aging is the red part; and the spending in absence of aging and excess cost growth is the green part of this chart. In other words, our spending on Medicare, Medicaid, and Social Security would actually be very stable absent the effect of aging and the effect of excess cost growth. Now the effect of aging has become the biggest driver. There is nothing we can do about that because these people have been born. They are alive today. They are going to be eligible for Medicare and Social Security, and we are going to have to find a way to be able to afford this combined effect.

The revenue side of the equation I think is critically important to understand. Many of our colleagues say: It is true we are at a very low share of GDP going to revenue today. In 2012, less than 16 percent of our GDP came as revenue to the Federal Government. Typically, it is about 18.5 percent of GDP. But if we look back on the last five times we have actually balanced the budget around here, revenue hasn't been 18 or 18.5 percent of GDP. The last five times we have balanced the budget, revenue has been 19.7 percent, 19.9 percent, 19.8 percent, 20.6 percent, 19.5 percent of GDP.

So those who say we have to get back to the normal revenue stream, I think miss the point. The average is not going to do it. It never has, at least going back to 1969.

We are going to have to have more revenue at the same time we have more spending discipline, especially with respect to the health care accounts.

We need fundamental tax reform. This Tax Code is out of date, it is inefficient, and it is hurting U.S. global competitiveness. The complexity imposes a significant burden on individuals and businesses. The expiring provisions create uncertainty and confusion. It is hemorrhaging revenue to tax gaps, tax havens, abusive tax shelters.

I have shown many times on the floor of the Senate a picture of a little five-story building in the Cayman Islands called Ugland House. Ugland House, this little five-story building, claims to be the home of 18,000 companies that all say they are doing business out of that building. I have said many times that is the most efficient building in the world. How can 18,000 companies be doing business out of a little five-story building down in the Cayman Islands? They are not doing business out of that building. The only business they are doing is monkey business, and the monkey business they are doing is to avoid the taxes they owe in the United States through shell games in which they show their profits in the Cayman Islands, where, happily, there are no income taxes to impose on those earnings. So they are avoiding showing their income there here and putting it in the Cayman Islands where they can shield it from taxation.

We also desperately need to restore fairness. The current system contributes to growing income inequality. I don't know how anyone can conclude otherwise. I have also shown many times on the floor of the Senate the report on one building on Park Avenue in New York, where the average income is $1.2 million of the people who live in that building and the average tax rate those people are paying is about 15 percent. The janitor in that building is paying a tax rate of 25 percent with an income of $33,000 a year. How is that fair? How can that possibly be considered fair? These long-term fiscal imbalances simply must be addressed, and revenue is going to have to be part of the solution.

Martin Feldstein, one of the distinguished economists in our country, conservative, chairman of the Council of Economic Advisers under President Reagan, said this about the tax expenditures of the country because we are spending $1.2 trillion a year in the tax expenditures category of the United States. We are spending more through the Tax Code than we are through all the appropriated accounts.

People say we are spending too much. Yes, we continue to have a spending problem and a revenue problem. But through the Tax Code, we spend more there than we spend through all the appropriated accounts.

Here is what Martin Feldstein said about the need to reduce tax expenditures:

> Cutting tax expenditures is really the best way to reduce government spending. . . . [E]liminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

I say to my colleagues, even after what has just happened, we are going to have to raise more revenue, we are going to have to cut spending, and we are going to have to reform entitlements. It is as clear as it can be that those things are going to have to be done to get the country back on track. Here is one of the most distinguished economists in the country telling us that reforming tax expenditures is not like other ways of raising revenue in terms of its economic effect. I think Mr. Feldstein has that exactly right.

By the way, who most benefits from these tax expenditures? Here is a chart that shows the increase in after-tax income from tax expenditures and here is the top 1 percent. On average, they benefit per year by over $250,000. The next quintile benefits by $32,000. The lowest quintile tax expenditures benefit by $707 a year. Wow. What an extraordinary disparity. The lowest quintile tax expenditures benefit $707 a year. The top 1 percent, their benefit from tax expenditures, on average, is over $250,000 a year.

Here we are, borrowing 31 cents of every $1 we spend. We are on course taking the debt of the United States from over 100 percent of our gross domestic product to over 200 percent if we fail to act.

That is why we had the National Commission on Fiscal Responsibility and Reform. The report we put out was called ''The Moment of Truth.'' What we called for in that report was $5.4 trillion in deficit reduction. We used the current baseline. That is what we would have provided, $5.4 trillion in deficit reduction. We lowered the deficit to 1.4 percent of GDP in 2022. We stabilized the gross debt by 2015. We reduced discretionary spending to 4.8 percent of GDP by 2022. We build on the health care reform savings. We called for Social Security reform and savings to be used only to extend the solvency of Social Security itself, and we also included fundamental tax reform that raised revenue and did it in part by reducing those tax expenditures I just referred to.

Here is what would happen to the deficit as a percentage of GDP under the fiscal commission budget plan. We can see in 2012, the deficit is at 7.6 percent of GDP. By 2012, it would be taken down to 1.4 percent of GDP under the plan.

Here is what would happen to the gross debt of the country as a percentage of GDP under the fiscal commission plan. From 104 percent of GDP in 2012, down to 93 percent of GDP in 2022. Stabilize the debt. Then begin to bring it down. That ought to be our challenge.

The plan that was just passed took individual rate increases from 35 to 39.6 for couples earning over $450,000. Capital gains and dividends were increased from 15 percent to 20 percent. PEP and Pease were reinstated. The estate tax was increased to 40 percent for those estates above $5 million. The alternative minimum tax was patched on a permanent basis to prevent some 30 million people from being caught up in the alternative minimum tax. It extended other expiring provisions.

On the spending side, the doc fix was put in place for 1 year to prevent doctors who provide care for Medicare-eligible beneficiaries from taking a 27-percent cut. It turned off the sequester for 2 months, the $1.2 trillion across-the-board cut in discretionary spending in both defense and nondefense. It provided for a 1-year extension of unemployment benefits and also for a 1-year extension of the farm bill.

Again, while I believe that plan had to be supported—and I did, albeit reluctantly because I think if we had failed to support it, we would be headed back into recession, an additional 1 million people would have lost their jobs, the unemployment rate would be headed to 9.1 percent, and 2 million people would have lost their unemployment benefits. So there was good reason to support that plan. But I want to end as I began. I hated that plan. I hated it with every fiber of my being because the truth is it increased the debt of the United States. That is not just my word; that is the word of the Congressional Budget Office that tells me the revenue loss from that plan is $3.6 trillion; the new spending, $332 billion. The total impact on the deficit and debt, $4 trillion. That doesn't account for the additional debt service which is another $650 billion. The total increase in the debt as a result of that plan is over $4.6 trillion.

So don't let anybody tell you that was a deficit reduction plan or a plan to deal with the debt because it was not and it is not. That leaves the unresolved challenge of our time. Because for this Nation's future, it is critically important that the next Congress, in its early days, try to get back to doing the grand bargain, the big deal, something that would reduce our deficits and debt by at least $4 trillion over the next 10 years to stabilize the debt to begin to bring it down.

I leave here in many ways with a heavy heart because I came here 26 years ago believing one of the foremost responsibilities of a Senator was to guide the fiscal affairs of this country.

I ask unanimous consent to have printed in the RECORD the announcement speech I made in 1986 in running for the Senate.

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

KENT CONRAD, JANUARY 27, 1986

I will be a candidate for North Dakota's seat in the United States Senate in 1986. I will be a candidate because I am intensely interested in North Dakota's future. I am committed to doing what I can to improve the future for our state and its people.

I have concluded that the serious economic problems facing our state can in large measure only be addressed in Washington. It is economic policies decided in our nation's capital that are pushing our state into a difficult financial position.

Since 1980, our national debt has doubled. Our national operating deficit has tripled. Our trade deficit has increased six-fold. And we have become a debtor nation for the first time in seventy-one years.

We can do better. We must do better. And we will do better if we have the courage and leadership to move this country in a new direction.

Current economic policies, which have increased the national debt in five years by an amount that had taken two hundred years to accumulate, have forced record high real interest rates. Those record high real interest rates have bloated the value of the American dollar, which in turn has put a hidden tax on every commodity exported by our state and nation. That hidden tax has robbed us of our export markets and dramatically reduced our commodity values.

These economic policies are not only devastating to the economy of the State of North Dakota but are rapidly exporting the economic strength of this country. This process must be stopped.

It is time for politicians to stop posturing and promising and start guaranteeing performance and results. I pledge today that, if elected, the federal deficit, the trade deficit and real interest rates will be brought under control or I will not seek reelection in 1992.

I have great confidence in the future of our state and of our country if our leadership and our people move swiftly in a new direction.

I offer leadership and a new vision of the role of government in solving our common problems.

We are at the dawn of a new era, one in which international competition will more and more shape the policies of states and nations.

We must meet that challenge.

That means the fundamentals of a healthy domestic economy, including a sound agricultural sector, an excellent educational system, a competitive business climate, a strong national defense and an efficient and fair tax system must be among our highest priorities.

At the same time we must fashion a society that cares for the least fortunate among us, respects our senior citizens, nurtures our young, and preserves a strong and growing middle class. Perhaps most important, we must actively pursue peace for our generation and for the generations ahead.

We can accomplish all of this if we trust in the basic good judgment and decency of our people. I have that faith and look forward to a challenging campaign on the issues that confront us.

The trade deficit is clearly out of control. We have gone from a trade deficit of $32 billion in 1980 to $149 billion last year, and this year we're headed for a trade deficit of $175 billion.

For the last three months, we have imported more agricultural production than we have exported. These are additional signs of an economic game plan that has gone seriously wrong. We must get the trade deficit under control or we will find our standard of living lowered for decades to come.

I believe the Senate and House members should tell the collective leadership in Washington—both Republicans and Democrats—that it's no more business as usual. It's time to seriously address the economic problems facing our country.

The best way to get the leadership to face up to the problems facing our country is to refuse to extend the debt limit except on a temporary basis. There should be no permanent extension of the debt limit until there is an economic summit of the President and the Republican and Democratic leadership of both the House and the Senate to devise a plan to reduce our national deficit, to lower interest rates, to lower the bloated value of the American dollar, and to lower the trade deficit. These steps must be taken, and they must be taken now.

We can have a better, more secure future, but only if we take the steps now to get our country back on an economic path that makes sense.

Mr. CONRAD. This is what I said 26 years ago in my candidacy for the Senate:

I have concluded that the serious economic problems facing our state can in large measure only be addressed in Washington. It is economic policies decided in our nation's capital that are pushing our state into a difficult financial position.

Since 1980, our national debt has doubled. Our national operating deficit has tripled. Our trade deficit has increased six-fold. And we have become a debtor nation for the first time in seventy-one years.

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Current economic policies, which have increased the national debt in five years by an amount that had taken two hundred years to accumulate, have forced record high real interest rates. Those record high real interest rates have bloated the value of the American dollar, which in turn has put a hidden tax on every commodity exported by our state and nation. That hidden tax has robbed us of our export markets and dramatically reduced our commodity values.

These economic policies are not only devastating to the economy of the State of North Dakota but are rapidly exporting the economic strength of this country. This process must be stopped.

I will end with the next paragraph:

It is time for politicians to stop posturing and promising and start guaranteeing performing results.

Then I made a pledge.

I pledge today that, if elected, the federal deficit, the trade deficit and real interest rates will be brought under control or I will not seek reelection in 1992.

That is a statement I made 26 years ago. Some people are probably wondering, if you made that pledge, how are you still here? Well, 6 years after I made that pledge I announced I would not seek reelection, and I did not. I announced in April of that year I would not seek reelection. Congressman Dorgan was nominated to run for my seat and I thought I was leaving the Senate.

Then the other Senator from North Dakota died in September of that year. The Governor called me and said: Senator, you have to run to fill out the 2 years of his term because our State is going to lose all of its seniority in one fell swoop—all of Senator Burdick's seniority, all of your seniority, and all of Congressman Dorgan's seniority. We will be the only State in the Nation with no seniority. You will have kept your pledge; you did not seek reelection; you will run in a special election which will be in December, after the regular elections in November.

I will never forget, one of the news media stations back home did a poll and two-thirds of Republicans thought I should run to fill out the 2 years of that term, which I did—which means I am the answer to a trivia question, because I am the only Senator in history who served in both Senate seats from the same State in the same day.

I believed then and I believe now that fiscal responsibility is one of the first

obligations of government. My deep regret, my greatest regret, in leaving here is that we have not been able to fashion the grand bargain to put us back on track.

Mr. President, I ask unanimous consent to have a tribute to the Budget Committee staff who have served so ably and so well, served this body, served our country, led by my staff director Mary Naylor, who is truly a remarkable person; I consider her a real patriot because she has absolutely dedicated herself to getting the fiscal affairs of the country in order. If I could, I ask unanimous consent to have printed in the RECORD a tribute to all of the Budget Committee staff who have served with me so ably and so well.

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

TRIBUTE TO BUDGET COMMITTEE STAFF, JANUARY 2, 2013

Mr. CONRAD. Mr. President, before I depart the Senate after 26 years, I wanted to offer a special tribute to a team of professionals who have served me, this body and this country with high distinction.

Since 2001, it has been my honor to serve as the senior Democrat on the Senate Budget Committee. Throughout my 12-year tenure as Chairman or Ranking Member, I have had on the Budget Committee a staff of dedicated professionals who have advised me and other Senators on a wide array of complicated budget issues.

The Committee's portfolio touches every facet of the Federal government. We write not only the budget resolution, but deal with the big picture consequences of tax and spending decisions. We enforce the many budget points-of-order and other budget rules that govern our proceedings. Many of these rules, although well intentioned, are complex and often convoluted. We rely on the expertise of our Budget Committee staff professionals to help us comply with these rules.

When my colleagues tapped me to lead the Committee, I knew part of my success would depend greatly on the composition and caliber of staff that we could attract to the Committee.

SBC MAJORITY STAFF

Staff Director: Job one was making sure I picked the right staff director—a Hill veteran, who knew how to advance ideas and move legislation through this political and legislative body. Someone who knew how to write budgets, excel at managing staff, and maybe most importantly, care about fiscal responsibility.

Finding that right person turned out to be quite easy. Mary Naylor was already on my personal office staff, serving as my deputy chief of staff. She grew up in North Dakota. In 1989, her first task for me: writing my budget and tax mail. Twelve years later, in January 2001, she became my first and only Budget Committee staff director.

Mary has been invaluable to me. She is a loyal and trusted aide. She works hard, has a gifted mind and memory, and never takes no for an answer. In addition, Mary has this uncanny ability to know what I am thinking, how I want to implement it, and how I want to explain it. I can't thank Mary enough for her service and her loyalty to me, her contribution to the Budget Committee, the Senate's deliberations, and the country's overall well-being.

Deputy Staff Director: John Righter has served as the committee's deputy staff director for the past 7-plus years.

John was my numbers guy. He understood and mastered budget baselines and scoring issues like no else ever has. His brilliant mind enabled him to develop and compare multiple budget plans simultaneously. He is the budget world's equivalent of a chess grand master. There were times that I had John working on six different budget plans, all at once. I'd fire detailed questions to him about each of the varied plans, and he'd be able to respond quickly and accurately. Just like a grand master who can play multiple chess games at once, John can juggle multiple budget plans simultaneously.

I was not the only Senator to rely on John's abilities. John was a key resource for the staff and members of the President's Fiscal Commission. And for the last two years, Senators from both sides of the aisle who have worked with me on the Group of 6—which later became the Group of 8—have relied on John's mastery of budgets.

John joined the Committee in May of 2001 as an analyst focusing on appropriations, general government and commerce. He was a 6-year veteran of the Congressional Budget Office, where he, among other things, excelled at budget concepts and scorekeeping issues. I can't thank John enough for his exceptional service to the committee and me these past nearly 12 years.

Communications Director: Stu Nagurka served as the committee's communications director, and came on board just days after I took over the reins of the committee. He has been a trusted, valued and loyal aide all these many years. As a former reporter, and with his background as a press secretary on the House side, and as a communications aide in the Clinton administration, he has been a great asset to the committee. He has always represented the committee and me before the press with great professionalism. He has been a delight to have on the committee, and I thank him for his 12 years of service.

FORMER SENIOR STAFF

I was fortunate to attract high caliber staff on the committee throughout my tenure. Some of my staff went on to serve in the administration, others moved on to think tanks, while others retired or went on to pursue other opportunities both on and off the Hill.

I would be remiss if I did not also thank them for their contributions, including Sue Nelson and Jim Horney. Both served as my co-deputy staff directors early in my tenure. As longtime veterans of helping write and analyze budgets, they were an invaluable asset to me when I first served as Chairman.

Joel Friedman served as one of the committee's two deputies during the last half of my tenure. He was the committee's lead tax and revenue expert. He brought a wealth of knowledge to the committee from his previous government service at the Treasury Department, the Office of Management and Budget and the House Budget Committee. Joel did yeoman's work developing and evaluating tax policy during our bipartisan negotiations in the President's Fiscal Commission, and later during our Group of Six and Group of Eight deliberations. Joel was a key staff member, who I greatly admire and appreciate.

Steve Posner was a valued member of the committee staff for more than 11-and-a-half years. During that time, he wrote more than his share of my speeches, op-eds and other material. He is a brilliant writer, and knew exactly the words, phrases and statements I wanted to make. He was of great help throughout my tenure, and I so appreciate his service.

Lisa Konwinski served as the committee's chief counsel for 11 years, 8 coming under my tenure. She was not only an excellent counsel and advisor to me and my committee members, but she was of great assistance to leadership and the Senate as a whole. I was not surprised when President Obama asked her to serve as one of his deputy directors of legislative affairs.

Joe Gaeta was the committee's next chief counsel. I and my colleagues will forever be indebted to his invaluable service during the drafting and consideration of the Affordable Care Act. It was his work, his knowledge and understanding of the budget rules and process that helped us to get the President's health law through the Senate. I am so pleased that he is still providing his services to the Senate, as Senator Whitehouse's legislative director.

Jamie Morin served as the committee's lead analyst for the defense, intelligence, and foreign affairs budgets from 2003 through 2009. He was an exceptional staff member, and I was so pleased when the Obama administration asked him to serve as the XX of the Air Force. He really exemplifies the high caliber staff we had serving on this committee and in the Senate.

Sarah Kuehl was another long-time staff member who joined the committee staff at the beginning of my tenure. Her portfolio including the health accounts, including Medicare, as well as Social Security. She had her hands full, particularly during the Affordable Care Act deliberations. I am so proud and grateful for the important contributions she made during that debate. She was a highly respected staff member. She also served as the deputy staff director of the Joint Select Committee on Deficit Reduction. I appreciate her many years of trusted service on the committee.

Steve Bailey was my lead revenue staff member in my personal office, and later on the Budget Committee. He was on my staff for some 14 years. He also staffed the President's Fiscal Commission and served as senior tax counsel for the Joint Select Committee on Deficit Reduction. He received national recognition in 2004, when he alerted me to what was then an unnoticed tax provision in a pending appropriations bill. It would have allowed congressional staffers access to anyone's tax records. Thanks to Steve's catch, the offending language was removed. The country is forever grateful for Steve's heroic work, and I appreciate his service.

Jim Esquea served as the committee's lead analyst for income security and Medicaid for 11 years. In addition, at various times, he handled a wide array of issues ranging from veterans affairs and justice programs to child welfare, Temporary Assistance for Needy Families, supplemental nutrition assistance, public housing, the Children's Health Insurance Program and other health programs. It is his expertise in these areas, as well as his great understanding of the Congress, that caused the Obama administration to appoint him as the Assistant Secretary for Legislative Affairs at the Department of Health and Human Services.

Two other staffers of the committee left us to work in the Obama administration. David Vandivier, who served as our outreach director, is now the chief of staff of the President's Council of Economic Advisers. Brodi Fontenot served as the committee's transportation analyst. He is now the Assistant Secretary for Administration at the Department of Transportation.

ADDITIONAL LONGTIME STAFF

Mike Jones is the Committee's Director of Appropriations and our senior analyst for Judiciary and Homeland Security. He has been with the Committee for 11 years, and previously worked at the Department of Interior and the House Budget Committee, where he honed his budget skills.

Kobye Noel is the committee's graphics production coordinator. Since joining the committee early in my tenure as the senior Democrat, Kobye has been the lead staff member responsible for the countless number of charts that colleagues and C–SPAN viewers around the country have seen me use on this floor. Working with every committee staff member, she has helped design, create, produce, print and mount hundreds of charts for me.

I have kept Kobye a very busy woman. Keep in mind, for every chart the public sees on this floor, there are probably five or more charts that are created. Most of them are used in other public gatherings or private meetings. I thank Kobye for her tireless efforts. And I hope she knows how much I appreciate her contribution to the committee.

BUDGET ANALYSTS

Jennifer Hanson is the committee's senior budget analyst for Medicare and Social Security. She was deeply involved in the health care debate and a key member of a team of staff who provided the Committee and the Senate with critical assistance during the deliberations of that historic legislation.

Since joining the committee more than three years ago, Jennifer has provided extremely useful guidance on a wide-array of health care matters. I particularly appreciate her sensitivity to how proposed changes in funding levels can impact real people, as well as health care providers. She is a great asset to the committee.

Jim Miller is the committee's senior policy advisor for agriculture, and this is his second tour of duty with the committee. The Senate is very fortunate that Jim decided to return to Capitol Hill after serving as the Department of Agriculture's Under Secretary for Farm and Foreign Agricultural Services. Jim excelled in that Senate-confirmed position, and we are all so proud of his service in the Obama Administration.

Jim is a walking encyclopedia of agriculture knowledge. He is well respected by Senators and staff on both sides of the aisle, and played a critical role in the drafting, enactment, and implementation of the last farm reauthorization law. I have been so well-served by Jim, and can't thank him enough for all he has done for the Senate, for the agricultural community and the country.

Robyn Hiestand is the committee's analyst responsible for education, discretionary health and appropriations issues. She and I share a passion for education, and I appreciate all the good work she has done to help us make education more affordable and to protect funding for important programs in the discretionary health accounts. Others have recognized her budget expertise as well. She took a brief leave of absence last year and served as a senior budget analyst for the Joint Select Committee on Deficit Reduction.

Brandon Teachout handles defense, international affairs and veterans issues for the committee, and has been doing so for the past year-and-a-half. He is a trusted and valued aide who started his Senate career in my personal office six years ago. Brandon has a varied background that includes his work in television news, a love of history and has taken courses through the Air Force's Air University.

Miles Patrie has been with the committee for several years and helps me on agriculture and trade issues, as well as nutrition. Miles is an exceptional analyst, who is detail oriented and focused, and has a calming presence on the committee. I appreciate all that he has done to make the committee and Senate a better place.

Farouk Ophaso joined the committee about a year ago and serves as our Budget Review professional. Farouk previously worked as a program examiner at the Office of Management and Budget, and as a cost analyst at the Department of Defense.

Gwen Litvak covers a lot of ground for us on the committee, handling housing, commerce, transportation, community and regional development and general government issues. She is a workhorse who is immersing herself quickly in the work. She is now a one-year veteran of the committee, and I so appreciate her contribution during the past year.

Tyler Kruzich handles energy, environment and natural resources issues for the committee. He joined our staff in June and is a Hill veteran, having served on the House Appropriations and House Natural Resources committees. He also was a budget analyst for the Congressional Budget Office. I appreciate his good work on the committee, and know the committee will benefit from his service.

REVENUE TEAM

David Williams was the committee's senior tax policy advisor. He just concluded his second tour of duty with the committee. He brought a wealth of knowledge to the Senate, having spent his career both writing and implementing tax policy. In addition to his previous Hill experience, he has held a number of senior positions at the Internal Revenue Service, where he received rave reviews for his work administering the Earned Income Tax Credit.

Alex Brosseau is another key member of the committee's revenue team. He serves as our budget and tax policy analyst. Alex brings an important perspective to the committee as he joined the committee about a year ago from the private sector where he was a practicing accountant. That real life work experience is a tremendous asset to the committee. I thank Alex for sharing his wisdom and experience with us.

Jeannie Biniek is an economist for the committee who excels at integrating her economic knowledge with the expertise of the budget and tax analysts. She works on joint projects with other analysts and provides helpful analysis to me and to the staff. She is also the committee's Medicaid expert.

Jeannie has been with the committee for more than 3 years, and this is her first public service position. I know it won't be her last, as she cares deeply about people and the community at large. She has been an absolute delight to have on staff, and I thank her for her service.

ECONOMIC TEAM

Brian Scholl is the committee's chief economist. I commend him for continually noting that we must navigate through this recovery carefully; otherwise we risk taking a dangerous step backwards.

Zachary Moller is a member of the economic team serving as staff assistant. For more than a year, he's been researching, writing and providing the committee with updated economic data. He is a great team player, who does whatever is needed to get the job done.

The committee has had a rich history of outstanding economists serving on staff. I have had the privilege to work with many of them including Chad Stone, Jim Klumpner, Lee Price and Matt Salomon.

ADDITIONAL STAFF MEMBERS

Robert Etter is the committee's chief counsel whose specialties are budget process, budget rules and points of order, and other legal issues. His job is to make sure the committee, and everything we do, complies with all applicable laws and budget rules of the Senate. Robert joined the committee one year ago, and previously served as a House committee counsel. I appreciate all he has done for the committee, and thank him for his service.

Josh Ryan is responsible for outreach and new media for the committee. Josh is the committee's liaison to the public, including interest groups here in Washington. He also maintains our committee's website, handles our presence on twitter and facebook, and is our staff photographer. In short, Josh is a bit of a jack-of-all-trades type of staffer. I appreciate his dedicated service, and thank him for his many contributions.

Amy Edwards is the committee's performance budgeting specialist. She is the lead staff member who handles the committee's Task Force on Government Performance. Amy has been with the committee since the task force's inception in 2009. She has made important contributions in helping the Committee in its monitoring and oversight capacity.

Ben Soskin is the committee's staff assistant and utility man extraordinaire. In addition to being an invaluable asset to Kobye in the chart production process, Ben is one of those important staff members who will do anything asked of him, for the betterment of the committee. Ben has been with the committee for 7 years, and has helped countless staff members do their jobs, enabling Senators to do ours.

Brendon Dorgan joined the committee this past summer as a staff assistant. He has helped gather and track press coverage of interest to the committee. He also has helped staff members archive the considerable material of the committee. In addition, he has shown great eagerness in wanting to learn and is always anxious to take on a new assignment. I appreciate his good work, and the energy he brings to the committee.

Anne Page is the committee's executive assistant. Very simply, she keeps the trains running, and staff happy. She is an invaluable resource and a critical aide to the committee's staff director.

Anne brings a wealth of knowledge and experience to the committee. She has a rich history, having worked for two former Speakers of the House, Jim Wright and Tom Foley. Anne is a staff and member favorite. She has so enriched our lives, and I so appreciate her service to the committee and the Congress. Thank you Anne for all you have done for us.

NON-DESIGNATED STAFF

The committee is fortunate to have a strong cadre of professional non-designated staff who provide the necessary support functions for the committee. These professionals work tirelessly day in and day out, helping the committee staff and members on both sides of the aisle. We couldn't do our jobs without them.

These five staff members are the 24-hour a day fix-it staff who come to our rescue when a computer, blackberry, copier, phone or some other device goes on the blink. They are an invaluable resource, and as Chairman, I am grateful for their dedication to service, and I thank each of the following non-designated staff members.

Joan Evans is the chief clerk of the committee, responsible for all of the administrative functions, and oversees all of the non-designated staff. While relatively new to the committee, she has served in similar capacities with other Senate committees, and brings a wealth of knowledge and experience to the post. I appreciate all she has done to make the committee run so smoothly.

George Woodall is the committee's systems administrator. He's been with the committee for more than 19 years and really excels at keeping the committee wired and connected with the latest technology. George joined the committee the very year

that Senate offices started using email, so he has helped lead a remarkable technological transformation over these many years. The Senate, and our committee in particular, is very fortunate to have his dedicated service.

Cathey Dugan is the committee's archivist. She has been particularly busy helping the majority staff save and store important papers and other documents from the past 12 years, so that future scholars will have the opportunity to study our work. I know my staff has been particularly appreciative of her patience, her due diligence and her continuous offer of assistance as we've navigated through the archival process.

Letitia Fletcher is a Government Printing Office detailee who has assisted the committee for the past 11 years. She is responsible for the compilation and publication of all the committee's hearings and markups. She is a thorough and dedicated public service employee who was recently recognized by the Public Printer for her 25 years of federal service. I thank her for her contributions to the committee and the Senate.

Two staff assistants recently joined the committee. Kevin Stockert and Phillip Longbrake provide technical and administrative support to the committee staff. They are attentive, professional, and I thank them for their service.

Although she is no longer on staff, I do want to publicly thank our former clerk of the committee, Lynne Seymour, who retired last year. She first joined the committee in the early 1980's, and later became the committee's chief clerk, serving in that capacity for a record 17 years, 7 months. She was an exemplary employee who faced many administrative challenges during her long tenure, including multiple office moves whenever party control of the Senate changed hands. I will also never forget her outstanding leadership during 9/11. At the time, our floor in the Dirksen building was being overhauled and rewired, so our offices, and all our staff, were in temporary trailers in the Russell building courtyard. She managed the ensuring chaotic days with tremendous grace and professionalism.

REPUBLICAN STAFF

Let me also thank the Republican professional staff members of the Budget Committee. They, too, work extremely hard, and have made great contributions to the Senate. My staff and I have always had a very cordial and productive relationship with the Republican committee staff members.

In fact, over the years, I have forged long-lasting personal relationships with many of the Republican staff directors who served during my tenure. Senator Domenici's top aide, Bill Hoagland, is a Washington budget institution, who I have great respect for. Hazen Marshall served under Senator Nickles, and Scott Gudes, Denzel McGuire and Cheri Reidy all served as staff director at various times for Senator Gregg. All of them were a delight to work with. I also appreciate the contributions of the Senator Sessions' Republican staff director, Marcus Peacock, and his current staff.

CONCLUSION

As my colleagues know, there are many staff members who work extremely hard to help the Senate function. That is why I wanted to come to the floor today and offer my thanks and appreciation to the professional staff members who worked tirelessly for me during my tenure of the Budget Committee. They are the ones who worked so hard behind the scenes, content doing the people's business in the background.

I hope my staff members know how much they and their work have meant to me. Each of them has enriched me, both personally and professionally; I am grateful to them.

Mr. CONRAD. I also wish to mention Sara Garland, my chief of staff, an extraordinary person, a North Dakota native, somebody who has dedicated herself to public service; Geri Gaginis, my executive assistant, who has been with me more than 20 years, also a North Dakota native—we call her ''mom'' in our office because she does a good job of keeping us all on track; Tracee Sutton, legislative director, also a North Dakota native—an exceptional person, she will be on the staff of my succeeding colleague, Senator-elect Heitkamp; Susan King, also a North Dakota native, who has been with me off and on for many years, an outstanding person; Barry Piatt, my communications director, with me here at the end; Mary Jo Prouty, my office manager, still laboring to close down our office; Molly Spaeth, also with me right here to the final days.

I also want to give special recognition to Sean Neary, who was my communications director for many years, who is now the communications director for the Finance Committee, truly an extraordinary person.

With that, Mr. President, I thank Stu Nagurka. Stu is my communications director in the Budget Committee, has stayed with me right to the end, somebody who has an extraordinary record in government service; in fact, served your own Bill Richardson, Governor of New Mexico, when he was in public service here in Washington. Stu was his communications director and did as everyone knows, an outstanding job.

His son, I want to note, is our page, Jarrod Nagurka, called back into service because in these days, you know, we are a little short of people. They are people for whom I have the highest regard, Stu Nagurka, Jarrod. I mentioned Mary Naylor, my extraordinary staff director; John Righter, the deputy; but I mention and have gone into detail on all of my Budget Committee staff in this statement that I made part of the RECORD.

Finally, let me note that my colleague on the Budget Committee, Senator SESSIONS, is here. Senator SESSIONS has been the ranking Republican. He has been a gentleman. He has been somebody with whom I have enjoyed working. He and his staff have been professional. I think we put on a series of hearings that laid out the issues for our country in a clear and undeniable way.

Again, I leave with only one true regret and that is we were not able collectively to put in place a plan to get our country back on track. But I am not without hope because next year—this year, later this year—we will have more opportunities to do what needs to be done.

## SIGNING AUTHORITY

Mr. CONRAD. Mr. President, I ask unanimous consent that on Wednesday, January 2, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

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

## EXTENSION OF MORNING BUSINESS

Mr. CONRAD. Mr. President, I ask unanimous consent the period for morning business be extended until 3 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.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to use as much time as I may consume.

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

## THANKING SENATOR CONRAD

Mr. SESSIONS. I am so pleased to see that Senator CONRAD is here, that I could follow him. I had another subject I wanted to speak about, an important subject. But it is very important for all Americans to know how well he has served.

Senator CONRAD is one of the very small group of people in this country who understands the debt challenges we face. He has been on the debt commission. He has been the budget chairman. He staked his first election on dealing with these issues, as he has explained to us. I truly believe if he had a little more support, maybe, from his caucus and others, his vision could have been a real part of the solution we would make to this debt crisis. We are not that far apart when you consider the true challenges this Nation faces financially.

I remember a little over 2 years ago now, when the Senator called the debt commission cochairman, Erskine Bowles before the budget committee. He gave a speech and written testimony, which said this Nation has never faced a more predictable financial crisis. I remember the Senator asked the cochairman when we might have this financial crisis if we don't change our ways. He replied, it could be 2 years, as close as 2 years. That was 2 years ago, over 2 years ago now.

I think, Senator CONRAD, we have maybe gotten a little overconfident. People were telling us we were on an unsustainable course, we were facing a potential crisis, the Rogoff and Reinhart book came out and said that our debt reaches 90 percent of GDP, and all that was discussed and we had a lot of excitement about it, and we did not act. We did not act in a significant way.

In times gone by, maybe people thought the crisis is never going to happen, but I think the Senator agrees the potential for it to happen is just as real, if not more so, than it was 2 years ago.

I want to say this. We did not always agree. The Senator didn't always agree

with my views and I understand that. But the Senator allowed the minority on the committee to have its voice heard, to ask our questions, and the Senator called some great hearings. We had some of the best minds in the country provide testimony before the budget committee. The Senator allowed and called the administration witnesses and we were able to examine them about how they were managing the country's money. The Senator allowed that to happen in the great tradition of the Senate where we have open debate and honest questioning. The Senator was always a perfect gentleman, and always able, as I think the Presiding Officer would acknowledge, to give a little levity to a tense situation. The Senator has a great sense of humor that really endeared him to me.

So I will say to Senator CONRAD, thank you for your service. I believe every member of the budget committee, Republican and Democrat, appreciated the Senator's leadership. I know they did. I know the staff also respected the Senator's leadership. We had a great time working with the Senator's professional team. The Senator served his country exceedingly well dealing with the greatest issue we face today, our financial debt situation. I hope and I am confident the Senator will remain active, that he will not be silent, that he will provide continual input and advice to the Members of Congress as we wrestle with these tough issues.

Mr. CONRAD. I wish to say thanks to my colleague, Senator SESSIONS. He will still be on the Budget Committee. These challenges remain. I will lend my voice in whatever way I can to the responsible efforts that are needed to get us back on track. It is truly my fondest wish that we find a way to come together to do what must be done. It would be so good for the country. It would be great for the Congress. It would be good for the people. I am confident this is a challenge we can meet.

I thank the Senator.

Mr. SESSIONS. Mr. President, I will repeat my admiration and affection for the Senator from North Dakota and appreciation for his leadership.

The PRESIDING OFFICER. The Senator from Alabama.

## A MOST DYSFUNCTIONAL SENATE

Mr. SESSIONS. Mr. President, I want to say some things that are pretty hard right now. I say them out of affection and concern for the Senate of the United States and for the way we are conducting the people's business. I believe they ought to be heard and all of us ought to think about them. Some of our new Members have not been involved in a Senate that functioned differently than the one in which we are participating today. They do not know how a real Senate should operate. We have gradually, and at a very accelerated pace in more recent years, made some very unwise choices about how we do the people's business.

This has been the most dysfunctional Senate in history. The majority has abused and altered the powers and duties of the Senate more than at any time in history, to the detriment of the institution and to the detriment of the public interest.

That is a hard thing to say, but I truly believe something very unfortunate has been occurring and people have not talked about it. I would also criticize the Republicans a bit here because we are supposed to be the loyal opposition. The majority always has pressures on it to advance an agenda and the loyal opposition has the duty to advocate for its views and make sure the institution is handled in a way that protects the institution as the majority seeks to advance its agenda. Frankly, I do not think we have done a good enough job at that. But I would say the majority is using tactics—I refer to them as postmodern tactics—to advance an agenda. And in so doing has done damage to the institution.

Our leader, Senator REID, will not acknowledge a single error in his aggressive leadership and movement of legislation. He simply blames all the problems on Republicans who, he says, are obstructing his vision, his goals, and the agenda that he and his team want to advance. Not satisfied that these actions have brought the Senate to one of its lowest levels of public respect in history, if not the lowest, the majority party is now demanding even more power.

The majority leader and the majority are threatening to violate the rules of the Senate and change the rules of the Senate so they can grab even more power. I would say the majority leader himself has obtained more power than any leader in history, and now it appears that he is asking for more.

We don't like to talk about this. We are reluctant to talk about what is happening and be as critical as I am today, but in fact we have been silent too long. The bottom line is that this issue is not just about politics. This issue is about the historic role of the Senate and our constitutional order.

This Senate is not functioning as it should, and that is for sure; we all may agree on that. The question is, Why? Perhaps it was due to the 2010 election when the Democrats took a shellacking and lost six Senate seats. At that point there seemed to be a doubling down of the desire and ability of the majority leadership to dominate this institution. Actual Senate rules and actual codified law—and certainly the traditions of the Senate—were eroded. They were changed and run over.

The Republicans who fought back were called obstructionists. I don't know, but maybe when someone has been in power for a long time—as the leadership and the Democratic side has—they begin to think they are entitled to get all these things done. They believe they are entitled to bring up bills and not have Senators offer amendments so they can slow down the train and pick and choose what amendments the opposition can offer and how long they can debate. Maybe this goes in their mind in a way that when they get in that cocoon of power, everybody becomes an obstructionist when they simply insist on the rules of the Senate.

I always thought one of Senator REID's charms—the old HARRY REID I knew—was that he could actively and aggressively talk politically and stick it to the opposition. He always got to the point. Sometimes I could admire his skills. He could do it with a smile. We all tolerate a little political license and a certain amount of political exaggeration in the world we live in, but I thought Senator REID would not seek to advance powers beyond what he understood were the limits of the majority in the Senate because he has been in the minority, and he has operated there. He had to fight for his rights to have full minority rights. So I am a little baffled. I am not sure I understand this new Senator REID, and I am not sure all of the decisions he is making are good.

Now we are talking about a nuclear option that would break the rules of the Senate to change the rules of the Senate. That is a very dangerous thing, and I do not believe it is necessary.

Let me describe what is happening. I want to make a complaint about how this Senate has been operating. I said it is dysfunctional. The majority has said the reason it is dysfunctional is because Republicans object too much and they are obstructionists. Let me point out some of the things that are actually occurring.

First, I would dispute that. I don't believe it is accurate that Republicans object too much and are obstructionists. I don't believe Republicans are any more vigorous in their defense of their ideas than the Democrats were when they were in the minority when I came to the Senate 16 years ago. I know they were not. So it is the little constraints that we operate under every day, such as rules, tradition, actual statutory law that controls how we conduct our business that are being eroded, gone around, and run over. These are the things that make the institution what it is. A person has to be able to accept the fact that those who disagree with them have at least some power and a right to have their voices and ideas heard and their amendments brought up. That is one of the great traditions of the Senate.

So I say—sort of metaphorically—I am going to tack on the walls of the Senate a few charges. I don't take pleasure in this, but it is time to tell the truth about it.

First, to a degree unknown in the history of the Senate, the majority leader has used his power under rule XIV to bring bills straight to the floor without normal committee process. They are violating and avoiding the

process that goes on in committee where Members offer amendments, have debates, call expert witnesses, and consider these things. It may take weeks or months, but finally a bill ripens and it is then brought to the floor.

The majority leader does have the power under rule XIV to bring a bill to the floor without having had that committee process. The committee process is public, the debate is transcribed, and the amendments in the committee are voted on and recorded. It holds the Senators accountable so the public and their constituents know what they have done, how a bill is progressing, and at the end of the day whether they think they like it or not.

For example, this last-minute fiscal cliff tax legislation didn't go through the committee process. It was a big, important piece of legislation. We have a finance committee that is supposed to debate and decide tax issues. That did not occur with this bill. Additionally, no amendments were allowed to this bill—because it was brought directly to the floor by the majority leader. It is a very bad process. We are too often using midnight-hour votes to ram through big, historic legislation that has never been fully debated. We didn't even have an opportunity to fully read the legislation the night before last. That is not the way to run the Senate. What we know now from a preliminary estimate from the Congressional Research Service is that 58 percent of the bills which came to the floor of the Senate did not come through committee during this Congress. Nearly 60 percent of the legislation was not brought through traditional Senate committee procedures, and that is not good.

Second, the majority leader and the majority were quick to block President Bush's recess appointment attempts. Some of them were dubious; some of them were probably OK. They had the majority. They have done nothing to defend the Senate's historic and constitutional role when President Obama made a much more blatant recess appointment. The institution itself was weakened by this act. The Senate has to defend its legitimate confirmation powers, and there is a limit on the President's ability to initiate recess appointments.

The majority leader—righteous to defend it against President Bush—who is now the leader of this institution, has allowed President Obama to weaken the confirmation process. That goes beyond just the politics of the moment. Maybe it furthers a long-term agenda, but clearly does harm to the long-term interest of the Senate.

Third, the majority has directly violated the formal role of the Senate and plain statutory law that requires the Senate to produce a budget every year. The Congressional Budget Act of 1974 sets up a public legislative process—a public process—by which both the House and Senate must openly confront the Nation's fiscal challenges every year and lay out a plan. For 3 years the majority in this Senate has refused to comply with the law simply to avoid public accountability.

The majority leader said it would be foolish to have a budget. Those are his words. Senator CONRAD, chairman of the Budget Committee, was clearly uneasy about this. Senator CONRAD was determined—at least in his committee, which I serve on with him—to bring up a budget. We were going to discuss it, mark it up, and then it would be up to the majority leader whether he would ever bring it to the floor because he didn't bring it to the floor the year before.

We have now gone 3 years without bringing a budget to the floor. Apparently, the majority had a caucus within a day of the Budget Committee markup occurring. My staff had studied it, made amendments, and we were going to offer ideas to the budget. But the markup was canceled. Only a shell of this matter went forward. There were no votes, no formal budget process or budget offered. That is directly contrary to the statute of the United States.

The Budget Act requires an open process with committee votes, floor votes, and 50 hours of debate in which Senators who propose or oppose a budget have to do so publicly and with accountably. People should be able to offer amendments so we can have a vote on them.

Senator REID was thinking it was foolish to have his Members actually have to vote on concrete budget proposals. He didn't want them to do so. Apparently, the previous election had not gone well enough, and he wanted to protect his Members from those votes. That is what he meant by being foolish. It was foolish politically for the Democratic Party, but certainly we know it was not foolish for the American people that the Senate would actually discuss the financial future of our country and bring up a budget. A budget can be passed with a simple majority. Republicans cannot filibuster a budget. They get to offer amendments—for a change around here—but they don't get to filibuster it. They get an up-or-down vote—50 votes—after 50 hours of debate.

The leader violated plain statutory law, which requires us to have a budget by April 15 because he didn't want his Members to be accountable, but he blames Republicans for being obstructionists.

Fourth, for the first time in history, the Senate has abdicated the most fundamental requirement of Congress: responsible management of the money that the American people send here. We violated that requirement. Not a single appropriations bill was brought to the floor this year—not 1. That is the first time in history. We researched this—there has never been a time in history when not a single appropriations bill was brought up before the Senate. Frequently we don't get them all done, so then a continuing resolution has to be passed to keep the government from being shut down.

Congress is supposed to pass the appropriations bills telling the President, and all his Cabinet people, how much money they have to spend in the next fiscal year that begins October 1 of every year. The President cannot spend any money Congress has not appropriated. That is a fundamental requirement of the Senate. That is not just an idle idea, it is a fundamental requirement.

So we get to the end of the year and nothing has been done so we passed a continuing resolution, a CR. We stacked 13 bills—1,000-plus pages of spending—in one continuing resolution, and we just funded the government with no amendments, no debate, and no discussion for 6 months. That is no way to run a government. Each one of those bills is supposed to be brought up: defense, highways, education, health care. People who have amendments are supposed to bring up ways to save money or spend more money on each one of those bills, and we are supposed to vote on them. For the first time in history we did not do that.

Perhaps this was a clever political maneuver. It avoided public debate and public accountability because we had an election coming up in November and we don't want to vote before an election.

Another example is the Defense Authorization Bill. The fiscal year concluded this year without us passing the Defense Bill. The Senate has passed the Defense Bill for 50 consecutive years. Yet, just a few weeks ago, well after the elections, we were finally able to pass the Defense bill.

The House has sent over a budget that lays out a firm financial course for America. They voted on that budget in public. They were prepared to defend and explain their budget. It would have changed the debt course of America. But what did the Senate do? Nothing. Did Republicans filibuster the budget? Did they block a budget from being brought up? No. Republicans demanded that we go through the process. We pleaded with them to have a budget hearing in the committee. We asked them to bring up the budget and noted that they have the power to pass a budget with a simple majority. That is a burden a majority party has, really—to bring up a budget and pass it. It is not easy. It is a challenge. But it is the first time we have ever gone 3 years—or maybe the first time ever we have gone through the situation in which they refused to even bring up a budget. We have had budgets fail in the past, but we haven't had one, to my knowledge, where we just go for years and refuse to even bring one up.

In that secret Budget Control Act deal, we set spending limits on most of the discretionary spending caps, but that is not a budget. There were no amendments. There were no public discussions, no committee hearings, no

floor debate, no 50 hours to deal with the great issues of our time.

One more point. The majority leader has been trigger-happy in filing cloture motions. We have altered the way the Senate operates. We have to plead with somebody to be able to get an amendment in the Senate today. It is amazing. This goes against the history of this institution.

The two great guarantees in the Senate, as Robert Byrd, the great majority leader and historian of the Senate, has said, are the right to debate and the right to amend. Those are fundamental. We are seeing an erosion of both.

So what does this cloture motion do? Senator REID said: I am going to bring up a certain bill, and the Republicans can have five amendments.

Well, we have 15 amendments we want to debate—maybe more—on a bill. Somebody reminded me that the Panama Canal bill had 80 votes to give away the Panama Canal. It eventually got two-thirds votes and passed. It went through weeks of debate and lots of amendments. That is what the Senate is about. Now they say no amendments. So that begins to cause a problem.

The majority leader says: You have to filibuster. You won't agree to my limited number of amendments. You are obstructing. I am going to file the bill and immediately file cloture to end debate. So 30 hours goes by, has the vote to end debate, and says: All this time, the Republicans have been filibustering. The Republicans are obstructing.

Mr. UDALL of New Mexico. Mr. President, would the Senator yield for a question I will ask through the Chair?

Mr. SESSIONS. I yield for a question.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from New Mexico.

Mr. UDALL of New Mexico. The Senator from Alabama—I think we overlapped as attorneys general, and we are good friends—raised this whole issue, and he used the phrase, which has been frequently used on the Republican side, that—and we are getting to this place where we have the opportunity to change the rules. The phrase he keeps using is ''break the rules to change the rules.''

This goes to my question: Is the Senator aware that under the Constitution, and specifically article I, section 5, it says that the Senate may determine the rules of its proceedings?

As far as I know—and we have a letter we are going to have printed in the RECORD later—almost all constitutional scholars in this country as well as three Vice Presidents sitting up there where Senator CARDIN is sitting, presiding, have ruled that at the beginning of a Congress, on the first legislative day, the Senate is allowed to change the rules. And the Constitution trumps the Senate rules in that respect in that very early period.

So my question to the Senator from Alabama: Does not the Constitution trump the Senate rules?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the Constitution does trump the Senate rules. But I would ask my colleague if he is aware of any kind of history of the Republic where we didn't follow the existing Senate rules, which say we should have a two-thirds vote before we change the rules.

Mr. UDALL of New Mexico. May I answer the question?

Mr. SESSIONS. I have the floor, and I will yield for a question in just a second.

But I am not aware of that ever happening. I would ask my good attorney general colleague, who is familiar and understands tradition and the power of precedent, what would keep a Republican majority next year—or if they were to obtain one in the Senate—from changing the rules again and again and again?

The tradition in this Senate has been that to change the rules, we use a two-thirds vote, and we have adhered to that rule. There have been some threats to do the nuclear option, they call it, to use a simple majority to change the rules of the Senate, but it has not happened. I think that is a dangerous thing.

I would also ask my colleague to consider that because he is a young and popular Senator, and he is going to be here a long time—longer than I—and he may be in the minority. That might be a dangerous thought and it may be unimaginable for him today, but it can happen. We had 55 Senators just a few years ago. In two cycles, the Republicans went from 55 to 40.

So I just would say to the Senator, be careful about this. I know the Senator believes in debating, and he is capable at it, and he doesn't want to be able to put us in circumstances that would endanger that.

The point I was making is this: The problem in the Senate is not fundamentally the rules of the Senate; the problem in the Senate is a desire by the majority to move its agenda with a minimum of objection and to eliminate frustrating procedures that obstruct their ability to do what they think is good for America.

But I had that view too. When we had the majority, we wanted to pass the Bush tax cuts, 99 percent of which were extended 2 nights ago—the Bush tax cuts, which were passed for a limited period of time—10 years. Why? Because it took 60 votes to pass the tax cuts and our Democratic colleagues didn't want those tax cuts passed. It was passed through the budget. We requested to only do a 10-year budget. So they were passed as part of the budget process with 50 votes, but they could only last 10 years and then they expire. So that is the rule. They got extended. President Obama extended them once, but we got to the end, and they were about to expire on January 1, and everybody's taxes were going to go up. We had to pass a law to keep that from happening, and a compromise eventually was reached where most of the taxes stayed where they were and the taxes on the rich went up. I guess that is democracy in America, the way the Senate is supposed to work.

Mr. WHITEHOUSE. Would the Senator yield for a question?

Mr. SESSIONS. I will yield to my former U.S. attorney colleague without yielding the floor. He is younger, and a fine member of the Judiciary Committee and a capable Member of the Senate.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I have a question for the distinguished Senator from Alabama, for whom I have very high regard. He has been my ranking member on the Judiciary Committee, and he is my ranking member on the Budget Committee, and we share the experience of having served as U.S. attorneys. I have great admiration for him.

I heard him say something that brought me to the floor, and that is that it has been the practice of the majority leader to seek to pick and choose amendments the minority may offer. My question to the distinguished Senator from Alabama is, does that not overstate the case? Can he identify a time when the majority leader has ever said to the minority party: You can bring up an amendment, but it has to be this one.

The reason I ask that question is because my understanding is that the effort to control the amendment process by the majority leader has been limited to two things: No. 1, the number of amendments, which makes a lot of sense when we consider that the very small bill to raise the minimum wage that Senator Kennedy offered when I first got here—I was sitting where Senator CARDIN from Maryland is now presiding watching this debate take place on the floor, and they got to over 100 amendments on a one- or two-page bill. The Senate could never get to the bill if Members had to spend the rest of the session going through all these amendments. So to limit the number of amendments seems reasonable.

The other restriction that I think sometimes the majority seeks to impose is that the amendments be germane. I know when I was working with a number of colleagues of the distinguished Senator from Alabama on trying to form a bipartisan solution to the cyber compromise, every time the Republicans and the Democrats got together, we would start our discussion with the same back-and-forth, and that would be the Republicans saying——

Mr. SESSIONS. Mr. President, reclaiming the floor.

Mr. WHITEHOUSE. Please do. The Senator from Alabama has heard my questions.

Mr. SESSIONS. This is a good question. Let me tell my colleague how it

happens in the real world of the minority party.

Senator REID will bring up a bill, and he will say he wants five amendments.

Senator MCCONNELL will talk to Republicans, and they will say: Well, we have 15 amendments. We have a lot of things we want to vote on, some of them germane and some of them not germane.

Nongermane amendments are a historic and critical part of the history of the Senate. You two advocates would never want to give that up. I don't think my colleagues would if they have thought it through. And we are not going to give it up. We are not going to give up nongermane amendments, but there are limits on nongermane amendments.

So Senator MCCONNELL says: Well, we have more amendments than that that we want.

Senator REID says: I am filing the bill, and I am filling the tree, and nobody is going to get an amendment I don't approve.

So we said: Well, we have 15.

OK, Senator REID says, I will take four.

Well, I have an amendment on immigration. I have one on taxes.

No, we are not going to vote on that one. We will take these three amendments, and that is it.

So Senator MCCONNELL and his staff are talking to the Senators, saying: You have five amendments; I can only get you one. He will not accept this amendment. I have been told explicitly that you will not get this amendment or that amendment.

That is happening every day. And he will file cloture immediately and say the Republicans are filibustering when all we are doing is disputing whether or not we get 5 or 15 amendments. What are we here for if not to debate and offer amendments? Do my colleagues mean, in the great Senate of the United States, a Senator can bring up a bill—maybe small in language, about the minimum wage, but it is a matter that invokes philosophical disputes—I will just say it that way.

For the bankruptcy bill, I think there were 60 amendments on that bill. It was a bitterly contested piece of legislation. We had a good number of amendments. Finally, when the Defense bill was brought up after the election just a few weeks ago we were able to get amendments. But still it was less than one would normally expect on a bill spending $600 billion. Well, at least we got amendments. The bill came up—it came out of committee unanimously.

They would not bring it up before the election mainly because we needed to fix the sequester. Senator REID did not want to talk about that, so he refused, for the first time in 50 years, to bring up the Defense bill. But it finally got brought up. It went through a fairly regular process. People got their amendments, and the bill passed overwhelmingly and will become law.

So that is what the Senate is all about. Talk to people who have been around here, and they will tell you that. I remember standing right there. Senator Specter was a great Senator with a fabulous legal mind. I wanted something. I wanted him to agree to put something in the bill, and he would not agree. He did not want any more amendments. He wanted to wrap it up and get the final vote.

We argued a bit back and forth, and he looked at me and said, in effect: Well, you are a Senator. If you want your amendment, you get your amendment. It interrupted his day, his schedule. But if I insisted, I got my amendment. You are a Senator; you get your amendment.

Well, Senator PAUL, he files a lot of amendments. But he is a Senator. He got elected in Kentucky saying he was going to come to Congress and shake up this place. But he does not get an amendment? Senator REID says: No, you do not get amendments, or you only get this one.

They tried to hold him off from offering an amendment to cut foreign aid. Do you remember that? He would not yield. It went on. He was threatened: You are stopping the bill; you are going to kill the bill. He would not back down.

Finally—finally—they gave him an amendment. It went down by a big vote. It did not pass, but he got to advocate and ask why we were giving aid to a country that was abusing the rights of its citizens, and so forth.

So that is what the Senate is all about. That is all I am saying. This idea of speed is dangerous if it is denying the right of members to debate and offer amendments—if it is altering the nature of this great institution.

Colleagues, I think as a practical matter we have had good success with stacking votes. So if a person wants to speak on a bill, they can speak at 6 or 7 or 8 o'clock at night, and the votes could be held the next morning. It does not take long to have votes, 15 minutes or so to have a vote. We could have more votes and people would be satisfied.

With regard to nongermane amendments, I would suggest they do not come up again and again and again. Somebody campaigned on not giving foreign aid to Egypt, and they came here and they wanted to have an amendment. No, you cannot have it. Well, they are not going to offer the amendment on every bill. They are not going to offer it every year. They just needed to be able to have the American people see this Congress vote on that issue. I think we are better off allowing that to happen than not.

Mr. UDALL of New Mexico. Mr. President, I ask through the Chair, will the Senator yield for an additional question?

Mr. SESSIONS. I will.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. The Senator from Alabama, my good friend and former attorney general colleague, asked the question—when he was answering the last question I asked—has this constitutional procedure for determining Senate rules at the beginning of a Senate ever been used? Yes, in fact, it has been used, and it has been used a number of times.

I would point the Senator from Alabama to 1975. In 1975, we had the situation where a number of Democratic Senators were pushing for a change in the rules. The filibuster threshold at that point was 67 votes, unlike 60 today. Actually, that was the time period when they moved that threshold from 67 to 60.

What happened was 51 Senators took to the floor and three times voted down the attempt to move away from changing the rules.

Now, I would also note that three Vice Presidents—sitting up where Senator CARDIN, the Presiding Officer, is right now—have ruled that at the beginning of a Congress—at the beginning of a Congress—you are allowed, the Senate, 51 Senators, to step forward and say: We would like new rules.

What is being advocated on this side is putting rules in place and following the rules for a 2-year period of time.

Mr. SESSIONS. Mr. President, reclaiming the floor.

Mr. UDALL of New Mexico. For a 2-year period of time. And we are not——

Mr. SESSIONS. Reclaiming the floor, because I will yield the floor in a little bit, and the Senator can have an opportunity to talk, but I just want to follow up on that.

Was the final vote by two-thirds or not?

Mr. UDALL of New Mexico. The rule that was changed, when we lowered——

Mr. SESSIONS. I know we lowered the filibuster; a different Congress did. My question is, Was it a two-thirds vote or not?

Mr. UDALL of New Mexico. An accommodation was reached and——

Mr. SESSIONS. Right.

Mr. UDALL of New Mexico. And when the accommodation was reached, then the rule was changed.

Mr. SESSIONS. I like that.

Mr. UDALL of New Mexico. Now, the constitutional principle was made, and it has been acknowledged by three Vice Presidents, it has been used a number of times in the past. The reason we are doing this, as the Senator from Alabama knows, is that the amount of secret, silent filibusters that have occurred here has been extraordinary. LBJ had one. HARRY REID has had close to 400.

Mr. SESSIONS. Mr. President, reclaiming the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator for his advocacy, but I do believe that final vote to change the rule was by a two-thirds vote. If you get a two-thirds vote, you can impose your will—when we do it. The question is, Can you change the rule by a simple majority?

I would say the Constitution does not say what the vote level should be, and it may be possible lawfully to ignore the Senate rule that says it takes a two-thirds vote to change the rules on the first day of session. It may be possible legally to do that.

But I would urge my colleagues not to do that. Just for short-term political gain, we are going to change the historic rules of the Senate, changing the rules of debate in this kind of way? It would be a dangerous alteration of the nature of the Senate, as so many of our more seasoned colleagues have warned us. I will just urge you not to do that.

I will say to both of my fine colleagues that an offer has been made, one I think I am not real happy with, by Senator MCCONNELL. Negotiations are under way now to try to resolve some of the difficulties that are ongoing. But I would urge you to pull back and not pull the trigger on what has been called the nuclear option—to use a simple majority to change the rules of the Senate—which could change the very nature of how we do business and the qualities of the Senate that make it different from the House. That is my concern there.

So the filling of the tree—one more thing I would like to say about that. I had a chart on it. I think Trent Lott used filling the tree eleven times; Bill Frist, fifteen; it was used one or two times by previous majority leaders. But it has grown, and Senator REID has filled the tree 70 times already.

Basically, without going into details, filling the amendment tree allows the majority leader to block amendments. Historically, there was no limit on amendments in the Senate. If a Senator had an amendment, he came to the floor and offered the amendment, and he would try to be courteous and not abuse his power, but he got a vote on the issues he believed were important.

We should not limit that. We should not have the majority leader rejecting certain amendments because he does not like them. Really the reason he rejects them is they are often tough amendments, uncomfortable votes for the Members of his conference, and he does not want a vote on a tough issue. So, he blocks it from ever being voted on to protect the Members from that.

I heard Senator MERKLEY—I see him on the floor—talk about his vision for a more open Senate. I have heard him talk about how he conducted himself as the speaker of the house in his home State and how it was more vigorous in debate, in open debate.

In sum, my colleagues, this is what has happened: The biggest change by far, the thing that is causing the angst in the Senate and disrupting the Senate—other than the majority's fundamental determination to avoid responsibility and avoid voting on the tough issues of this country; and that is a big one, and I have detailed that—but the fundamental thing is, this majority leader is consistently using the device of filling the tree to block the free flow of amendments, to reject certain amendments he does not like, and control the Senate in a way that is contrary to our history, contrary to our tradition, and contrary to the public interest.

We are having too much of the majority leader bringing up bills like this last fiscal cliff legislation. I warned months ago we were going to end up at the 11th hour and 59th minute. I wrote in the Wall Street Journal a month ago, they are waiting until the 11th hour, the 59th minute to bring up the bill so you have no amendments, you do not even get to read the thing—do not even get to read it. You get a summary of it—have to vote yes or no—or we go over the cliff. That is not the way this business ought to be done.

So I urge my good, vigorous colleagues, who believe in debate and openness, not to shut off debate, not to move in that direction, to focus on an open process by which these matters are debated openly and the American people can determine whom they agree with.

They might not like what I have to say. They might vote me out of office. I am sure it would make a lot of people happy.

Mr. MERKLEY. Mr. President, will my colleague yield for a question?

Mr. SESSIONS. I will yield briefly for a question without losing my right to the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. I appreciate my colleague coming to the floor and starting to talk about rules. As I was listening back in my office to the Senator's presentation, and he may have enhanced it while I was walking over here, but the Senator was noting, essentially, what sounds like a very one-sided piece of the puzzle; that is, that the majority leader or the floor manager is in a position of negotiating or restraining what amendments the minority does. However, the Senator might be unaware that it is actually two-sided in that it is traditional for the floor leader on the Senator's side or the minority leader, the Republican leader, to also veto the Democratic amendments. Of course, I have had untold dozens of my amendments vetoed from being presented.

So you have this negotiation that is taking place between the leaders on the two sides over what they will admit. That hits both sides equally, basically, because your amendments may be ruled out; my amendments may be ruled out. Your leader may actually not like your amendment, and may say to you: Well, the other side will never agree to your amendment. Actually, it may be your own leader killing it. That may happen on my side too; my leader saying: Oh, no, the other side will never negotiate over your amendment. They will never agree to it. Maybe it is on my own side.

Mr. SESSIONS. Mr. President, regaining the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. There is no constitutional power for a leader. I love MITCH MCCONNELL. He does not get to pick my amendments. Where did this come from? You just got elected. You have ideas. You ought to be able to come down here and advocate for your ideas. Traditionally, it has always been any Senator can offer an amendment.

As Arlen Specter said to me: Well, I do not agree, but you are a Senator. You want your amendment, you get your amendment.

That is the way the Senate is supposed to work. We will have done something dangerous if we get to the point where now I have got to go to Senator MCCONNELL and plead with him, and then he has got to go to Senator REID and say, well, Senator SESSIONS wants this amendment, he is insistent on it. Senator REID would then have to approve and then he comes to me and he approves? Where did this come from? I am just telling you—you need to think about how the Senate is supposed to operate. It may take a few more votes; it will take some more votes. But that would be better than this process of groveling around here, pleading with somebody to give you a minute. Amendments—we have spent days, I think, since both of you have been here—think about it—days—squabbling over amendments and not a single vote occurring.

To my colleague from Oregon, would the Senator disagree with this?

Mr. MERKLEY. Would the Senator yield?

Mr. SESSIONS. Would the Senator disagree?

Without yielding the floor, I yield for a question.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. I think my colleague from Mississippi——

Mr. SESSIONS. Alabama.

Mr. MERKLEY. Excuse me, I am sorry, Alabama. If the Senator listened to my floor presentation, he would know I already agree with much of what he said.

Mr. SESSIONS. I know the Senator does.

Mr. MERKLEY. And, indeed, I feel we need to have a process where amendments are considered. In a situation where neither side is vetoing the amendments of the other, I wanted to make sure that we completed the picture for the public that not only is the Democratic floor manager vetoing Republican amendments, but the Republican floor manager is vetoing Democratic amendments. It is because of this that the two end up in negotiation.

Mr. SESSIONS. Right. I think that is true.

Mr. MERKLEY. So I wanted it to be clear it is bipartisan.

Mr. SESSIONS. Reclaiming the floor, I think the Senator is correct. I would

say both—it is not good. Why should they be picking your amendments? Why should Senator MCCONNELL be picking your amendments? It is flabbergasting to me about how we came to this point. It is like a frog in the warming water. You have come to the process in the middle of it where the traditional rights of a Senator have been eroded, and you are trying to deal with that situation and craft a solution that is dealing with an alteration of our historical procedure. We should go back to those.

When I asked the question about time—and how few amendments we have and actually get votes on—I think people should understand what I am saying. The Senate will not slow down. It will not slow down if we have amendments. Most Senators will agree to make their arguments at a time when something else isn't happening on the floor. They get their vote, maybe the next day. I don't think that is the problem. The problem is leaders want to control the debate. I think those of us underlings sitting at the kiddie table, as somebody said, need to get in the game.

There is no constitutional power given to the majority leader or the minority leader. It is a matter of courtesy. As far as I am concerned, they work for us. They work for the Members of the Senate. We don't work for them, they work for us. They are supposed to facilitate our rights as Senators. We have acquiesced and allowed an erosion of those rights.

A person is not going to offer his amendment every month, every year. In a 2-year term, Senator PAUL stood in there and finally got his amendment on foreign aid to Egypt. He is not going to offer it again next week. He had his vote and he lost.

I think there is just as much a hullabaloo about nothing if we would turn, quit filling the tree, quit attempting to control the flow of amendments in this body, we would shock ourselves how much better this body operates. I am tired of having to ask people for permission to file an amendment. That is where we are, and you should not have to do it.

The majority leader has got 1 vote out of 100, and I have got 1 vote out of 100. They meet in secret; they plot this bill on taxes. It comes up at the 11th hour. We don't get to read it and we don't get to amend it. Every Senator here and their constituents has been diminished in power by having that happen. We have got to stand up, all of us, Republicans and Democrats, liberals and conservatives, and defend the system. It will be better if we let it run as it is supposed to run—good debate, good amendments, stand before the American people, be accountable for what you did, and go back home and defend your record.

I know there are some tough votes. It was a tough vote for me last night. I voted for that bill. I am not sure I did right, but I was confident it was the right thing to do. But I didn't like it because I didn't get to read it sufficiently. I didn't get to know what was in it sufficiently. It had things in it I didn't like. But in the long run I thought it was going to be best for the country to move this issue behind us and move on, so I would say that also.

The majority leader's sole power and strength comes from the ability to be recognized first. The majority basically selects Senator CARDIN to preside. They trust him to preside. When the majority leader hits the floor, Senator CARDIN is going to recognize the man who selected him. The majority leader of the majority party and all the presiding officers are members of the majority party—and I used to preside in that fashion when we had the majority. That is the way the system works.

I would conclude by telling my colleagues I have enjoyed this discussion and leave one bit of warning. If this were to go to the nuclear option and substantial changes were made to the free debate and the free right to amend in the Senate, this will not be accepted. It will be a historic and dramatic change in the nature of the Senate. This Senate—I have now talked to Members—will not go quietly. It will not be treated as a legitimate change. We will resist in every way possible, and we will have a most disagreeable and difficult time in the body. So I would urge my colleagues, keep working with this compromise and maybe something could come out of it. Everybody can accept advancing some of the ideas you would like and maybe dealing with some of the concerns I would like.

One more example of how this political body should operate was the Democratic majority—the minority, when President Bush was elected—decided to filibuster Federal judges for the first time, systematically filibuster them. They were holding up nine, I believe, judges of high order. It went on for weeks, over a year, as I recall. Senator Frist threatened that they would use this procedure, or something like it. The result of that was a Gang of 14 reached an agreement and said there wouldn't be a filibuster of judges except in extraordinary circumstances. So the nuclear option never took place, the rules were never changed, but Members of the body in a collegial fashion agreed that, okay, we won't eliminate filibusters entirely, but we will only do it in extraordinary circumstances.

I think the best wisdom at this point is to draw back from the nuclear option to see if we can improve the way the Senate works and at that point we could perhaps improve the institution without endangering its fundamental character.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me thank the Senator from Alabama for his comments today. I think they are helpful in moving us forward, and I hope very much that we can find a way to go forward without having to use the constitutional doctrine that at the beginning of each Congress the Senate has an opportunity to adjust its rules with 51 votes. I think that is constitutional doctrine at this point.

I reject the notion that it is breaking the rules to take advantage of that constitutional moment. But the Senator makes a fair point that from a point of view of precedent—very different than breaking the rules, but from the point of view of precedent—it sets a new standard that we should be very cautious about going to.

I strongly support the Senator's recommendation that there needs to be a more vibrant amendment process. I believe the status of the discussion is regarding the filibuster on the motion to proceed, that if the majority leader is able to move to procedure without a filibuster, there will be amendments under that rule. I think that is an important qualification as we go forward.

Mr. SESSIONS. Mr. President, would the Senator yield briefly?

Mr. WHITEHOUSE. I yield for a question.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I will tell the Senator my concern and ask the Senator if he has a thought about it. I am uneasy about giving, for the first time, explicit power——

Mr. WHITEHOUSE. Mr. President, may I reclaim the floor for one moment? I will yield the floor, not just for a question—I will yield the floor to the Senator from Alabama with the understanding that I will be recognized at the conclusion of the point he makes, so he does not have to frame it in the nature of a question.

The PRESIDING OFFICER. Without objection, the Senator from Alabama is recognized.

Mr. SESSIONS. My concern, which I have expressed in my conference, is I don't like the idea that we codify in the rules explicit supersenatorial power to a chairman and a ranking member of a committee, and we have almost no recognition in our rules of the majority leader. This is a tradition; this is a way we operate.

Each one of us is 1 of 100. We are equal in our responsibilities and in our ultimate voting power if we don't allow it to be eroded. As I understand the rule, there would be four amendments, you know, guaranteed up front by leaders. Think about that, as I know you will be active, both of you, in the discussion of how to write these compromises, and I am hopeful we will reach one. But I wouldn't, in a nonpartisan comment—I am not sure we ought to further embed in our rules superpowers to one Senator or another group of Senators. Has the Senator thought about that?

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I appreciate the point the Senator from Alabama is commenting on, and I think it is important that we recognize that is a floor or a minimum number of amendments and not a ceiling. I think the more we can allow Senators amendments, the better institution this will be.

That said, the calendar is unyielding. Days come and days go, Congresses end, work periods end. The majority leader and minority leader have the responsibility for trying to fit the work into those time periods. Clearly there is the prospect of vexatious amendments, either in nature or in number, whose purpose is to interfere with their ability to manage the floor in a sensible way for all of us. I think we do have to be prepared to defend against that, and I think number and germaneness are the usual touchstones.

The story I was telling, when the Senator from Alabama reclaimed his time, was of the cyber negotiations. When the Republicans and Democrats met together, the opening moment of virtually every discussion was the Republicans saying, when we get this bill to the floor, there will be amendments, correct? We were saying, absolutely, that is our understanding, we will stand by you having your amendments, but let us have them be germane, let us have them be relevant to cyber. That was always kind of a mutual agreement going forward until a Senator came to the floor and gave notice that they would insist on a repeal ObamaCare amendment on any cyber bill. That threw a pretty big spanner into the works of what I thought was moving toward a good bipartisan solution there.

I think we have real problems here in terms of the abuse of the filibuster. When the majority leader can say that Lyndon Johnson as majority leader faced 1 filibuster, and this majority leader has, I think he said, 291 times—391 times had to file cloture, that is a pretty big change.

When you see judges who have been cleared in the Judiciary Committee unanimously sitting on the Executive Calendar in what has become a hostage pool for purposes of trading—these are judges who are ready to go, and there may very well be a judicial emergency in their district; they have Republican and Democratic support, and they are held hostage to be used as trading pieces on either judges or other issues—I think that is a very poor way to go about doing business, particularly when you consider where that leaves an individual who has put their life on hold waiting to see if they will be confirmed, and all they are is a pawn in a chess game, even though everybody thinks that substantively they are qualified and should serve as judges.

You see situations in which we have a cloture fight and then, when we actually have the vote, the measure passes with 90-plus votes. Clearly, there was not a great dispute over that. That is cloture being used for obstruction and to, I believe, take those 30-hour blocks of cloture time and stack them up into a wall of obstruction.

I will say one final thing and then I will yield the floor. The good Senator from Alabama mentioned the budget process, and he is our ranking member on budget, so he knows this very well, but I have to dispute his description of the budget not passing and of why the majority leader said it would be foolish to have a budget.

The reason it would have been foolish to have a budget is because we had a budget. In the ordinary course, a budget is developed from the committee up. We start in the Budget Committee. We propose a budget. It then goes to the Senate floor. We have budget day, which is often irreverently called a vote-arama, where we vote and vote and vote on amendments, and we ultimately get a budget. A similar process happens in the House. The President then has a budget to work with and we go forward.

In this case, because the question of the Nation's budget is such a hot political issue, the budget was negotiated at the very top, between the President and the Speaker and the Senate leadership, and it was passed into law. We didn't pass a budget; we passed a bill. We passed a law, and the law set the budget. So when your budget is being set by law, yes, it is a little foolish to go through the process as if none of that had happened and try to build a budget from the ground up when it has already been established by law and when we wouldn't change it with our budget procedures. It has already been established by law, by negotiations at the highest level.

So I think that is why it was foolish. I think the budget process will continue to go forward in circumstances in which we are building a budget from the ground up, the way we do in the ordinary course, but I do think it was important to clarify that.

With that said, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. If my colleague from Rhode Island would be willing to yield for a question, I do have a question for him.

Mr. WHITEHOUSE. I believe the Senator has the floor, but I will stay and engage in a brief colloquy, if that is the Senator's desire.

Mr. MERKLEY. We heard a few moments ago from our colleague from Alabama that the problem of the Senate being able to process bills is completely as a result of the inability to offer amendments. There are certain things that don't seem to quite square with that.

For one, is my recollection correct that we have had quite a few filibusters on judges where no amendments are relevant?

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. WHITEHOUSE. Yes; that is absolutely true. It is hard to amend a judge.

Mr. MERKLEY. Is the same true of efforts to get to a conference committee after we have already passed a bill and all the amendments have been previously considered?

Mr. WHITEHOUSE. That is also true. In fact, I believe there have been multiple filibusters of the various steps on the way to a conference committee, even after all amendments have been considered. So the Senator, I believe, is correct.

Mr. MERKLEY. Is the same true on both conference reports and final passage? Neither of those involve amendments, but have there been extensive filibuster efforts to keep this body from ever being able to complete one piece of business and move on to the next?

Mr. WHITEHOUSE. I think that is true, and nobody is more alert to this than the Senator from Oregon, but it is my belief there has been a little transformation in the nature of the filibuster. It always used to be the individual right of individual Senators to get up on their feet and to say their piece, to hold the floor for as long as they needed to and to speak themselves—to read the Bible, to read the Constitution, to read the phonebook—into exhaustion. They did so when they felt deeply about an issue, when they were deeply opposed to something on the floor.

Then cloture came along and it established a 30-hour block of time for debate. But, tellingly, it didn't require anyone to do any debating during those 30 hours. My belief is the minority party figured out if they filibustered everything, including very popular bills and amendments and judges that normally pass with huge majorities—up in the nineties—then each time the majority leader has to file cloture we end up with another 30-hour block of floor time that can't be used for anything productive. If that is done hundreds of times, that becomes thousands of hours of floor time, and it is very often why people who are watching us, expecting to see debates on the floor, see the tedious quorum call. They see our wonderful floor staff quietly reading the names of the Senators as the quorum call drones on and nothing is happening.

That puts immense pressure on the majority because they now have less and less and less time to work with because these 30-hour bites of time over and over again have been taken out of the year and it makes doing business very difficult.

That, I believe, has been the transformation. We have changed from being a Senate where an individual Senator has the right to get on his or her feet and oppose anything with a filibuster for as long as they can stand on their feet to a Senate where the minority filibusters everything, creating these 30-hour blocks of dead time

which puts great pressure on the body to try to get things done in the time that remains. That is my view of why we are where we are and why it is important to change the rules.

I will yield after saying I do think the Senator from Oregon and the Senator from New Mexico have done this body a great service by their leadership on pressing forward on rules changes. I think it is very clear that however this ends up turning out, the majority leader has 51 votes for a change to put the Senate back on a footing where it is behaving as a Senate again and we are not spending our time in the dead zone of endless quorum calls.

I yield the floor.

Mr. MERKLEY. I thank my colleague from Rhode Island for his very lucid commentary.

We do have a responsibility to enable this body to debate and decide issues in order to address the big issues facing America. It certainly is not the case that we have been fulfilling that responsibility. This is why the popularity of the Senate and the House has dropped to incredibly low levels, because people see there are big challenges in America—big challenges about investment and infrastructure, big challenges about the management of our military policy and our military provisioning, big challenges in regard to the environment, in regard to health, and certainly big challenges in regard to education. So no matter how long the list gets, we just get more and more and more paralyzed and unable to address anything in this body.

Tomorrow is the first day of the next legislative session and my colleague from New Mexico has arrived and I ask unanimous consent that we be allowed to engage in a colloquy.

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

## EXTENSION OF MORNING BUSINESS

Mr. MERKLEY. Mr. President, I ask unanimous consent that morning business be extended until 4 p.m., with all other provisions remaining in effect.

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

Mr. MERKLEY. So my colleague from New Mexico has made this powerful case about our responsibility and about the opportunity provided under the Constitution, and I have been immersed in trying to wrestle with the components of how we actually seize that opportunity in terms of the substance, the material we put together to make this body work better. But the important thing is that tomorrow this begins.

In that regard, I yield to my colleague from New Mexico, who has been, again, at the forefront of calling for us not to bypass this opportunity to have this body engage in the debate and figure out how we can change the way we work so we can do the people's work as is expected.

Mr. UDALL of New Mexico. I thank my colleague very much, and let me say to my colleague from Oregon, who has been a real leader on this, he has been diligent, he has studied this, he cares about it, and he has been a great partner. The packages that were voted on the last time we helped put those together—and there were two very significant votes, as Senator MERKLEY realizes. We came very close. We had 44 votes for a package that would make 4 or 5 changes and then his package on the talking filibuster, which was included in both packages, received 46 votes. That showed that if we had the opportunity at the beginning of a Congress to change the rules under the Constitution, we were very close to the 51 votes.

I just want to comment on what my colleague from Rhode Island said earlier—Senator WHITEHOUSE—and repeat that because we have been counting the votes over the last couple months. We have been trying to determine if the votes are there in order to be able to change the rules, and we know at the beginning of a Congress that we need 51 votes.

I also want to respond to several things that were going on here earlier on the floor. Several Senators made statements, and several of those statements were from the other side. I believe they should be responded to because we are in this crucial phase in terms of adopting the rules.

The first issue that comes up is this issue of breaking the rules to change the rules. This has been what has been repeated numerous times in the last couple months with our Republican friends and colleagues coming to the floor. They use the phrase ''break the rules to change the rules.''

In fact, when we use the Constitution, there is no conflict with the Senate rules because three Vice Presidents have ruled from the chair, where Senator CARDIN is now sitting, that at the beginning of a Congress, on that first legislative day, we can change the rules, and we do it pursuant to the Constitution.

The Constitution, at article I, section 5, says the Senate can determine the rules of its proceedings. Every constitutional scholar I know of who has looked at this realizes that is the window—that first legislative day—in order to deal with the rules. So when, in fact, we legislate on that day in a rules context, we are not breaking the rules; we are creating the rules for the coming Congress—in this case, the 113th Congress. We are creating the rules that will govern.

Do I think we should use the Constitution to change the rules every couple weeks after we put rules in place? Of course not. That is not fair to do. We would never be advocating for adopting rules and then changing them every couple weeks or every couple months. In that situation, there is a high threshold to change the rules, as it says in the Senate rules.

But I want to engage in this colloquy with my colleague from Oregon, first of all, on this issue of the constitutional option and in terms of utilizing the constitutional option at the beginning of a Congress; putting the rules in place and then following the rules throughout the Congress. I ask my colleague: Isn't that the way we are intending to move?

Then, secondly, the heart of the matter—and this is where Mr. MERKLEY, the distinguished Senator from Oregon, has been instrumental in terms of helping us deal with the dysfunctional filibuster system we have right now—we have a secret filibuster. We have a silent filibuster—in fact, we have way too many filibusters. Just to give a little comparison, when LBJ—Lyndon Baines Johnson—was majority leader for 6 years in the 1950s, he had one cloture motion filed—one filibuster. HARRY REID, whose office is just a few feet from here, as the President pro tempore knows, comes to the floor and he has had close to 400 filibusters in his 6 short years. So they have gotten completely out of hand.

One of the things I want to talk to my good colleague, the Senator from Oregon, about, in addition to this constitutional option—the small window we have tomorrow on the first legislative day—is also how do we remedy this situation in the Senate? Everyone acknowledges the Senate has become dysfunctional; that we are not doing the work of the American people. We hear our Republican colleagues say they do not like the way it is working. So I ask: What is the best way to get to the heart of that? Is it the talking filibuster? Is it trying to change the rules on the motion to proceed? How do we get at the heart of what the problem is?

I yield for my colleague.

The PRESIDING OFFICER. Without objection, the colloquy is extended.

Mr. MERKLEY. I thank my colleague from New Mexico. I am going to be very brief, because in 2 minutes I am taking the chair so my colleague from Maryland can continue with his schedule.

Indeed, the silent secret filibuster that is occurring in the Senate today is deadly. What it means is that after there has been a vote of 41 who say we want more debate, there is no more debate because no one is required to debate. Instead, they don't want to appear in front of the American people and make their case, and that is outrageous. If you are voting for more debate and you are going to take up the time of this institution, time it could be using to address many of the challenges that face America, then you should have the courage of your convictions to make your case on this floor before your colleagues, before your constituents, before the American public, and engage in that dialogue. If you don't feel you want to spend the time and energy to do that, then you

should stand aside and we should proceed with a simple majority vote and address the issue at hand.

I do think we need to address that silent filibuster, that secret filibuster. The American people deserve to know why it is we are not getting their work done. And if they can see that it is being blocked by a group that is publicly making their case, they can either agree with them and say, That person is a hero, they are standing up to some core principle and we salute their efforts, or they can say they are a bum, because all they are trying to do is paralyze the Senate, they are not making any valuable points. And that feedback I think will help us resolve some of those filibusters.

In some cases folks have said, Well, isn't that going to eat up more of the Senate's time? And I respond, No, it is not. Because we are talking about what is now silent and hidden but paralyzing us being done in public, where there is actually a dialogue about the issue at hand and the public can participate. It is not the only thing that should be done, but it certainly is a key part of the formulation.

With that, in an hour or so I would be happy to rejoin the conversation.

I yield the floor for my colleague from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Mr. President, I thank the Senator from Oregon, because he has elucidated here the real issue that we face as a Senate.

The Senator from Maryland, who is presiding, knows well. He has worked on the rules, and I hope he will join me here for a minute to talk about the rules situation we are in and where we are headed.

There are several issues that are before us: How do we move into a more deliberative body? How do we move to the point where we get on to legislation, that we have amendments, we let everyone be heard, we let the minority be heard, and also at the end of the day be able to get to a majority vote? That is the way the Senate used to proceed, and now we have one Senator holding up the whole show.

Frequently you will have a Senator who will block hundreds of bills with these secret, silent filibusters. We shouldn't be allowed to have that kind of situation with any Senator, and we need to give up that little bit of power to make the institution itself a better institution. This institution is a great institution. It has a lot of very capable people in it. But it is not responding to what the American people want us to do. That is why we address the rules at the beginning of every Congress and why we should address the rules at the beginning of every Congress.

I ask unanimous consent to allow my friend, the Senator from Maryland, and I to engage in a colloquy.

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

Mr. UDALL of Colorado. I yield for the Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator UDALL for taking the time and for his commitment to this institution so that it operates correctly. I thank Senator MERKLEY for his leadership.

I agree with both Senators. If you are going to engage in extraordinary action such as a filibuster, you should be on the floor talking about it. That makes sense, that when the Senate is in session, we should be conducting business. We shouldn't have to go through extensive quorum calls because a single Senator is objecting to us proceeding. We want to get back to the traditions of the Senate where this becomes the greatest deliberative body in the world, where we debate issues and we resolve issues and we act on issues.

I was listening to the distinguished Senator from Alabama, and he was pointing out how he believes that the Senate is not working the way it should and that we should be debating more amendments. I think we should be debating more amendments. I think the key we need is that we need to change the way the Senate has acted and operated in recent times, and that means we need to get more legislation more quickly and actually debate bills. We have to have committees able to report out legislation that could be acted on on the floor of the Senate. We have got to bring issues to conclusion.

There are two problems here, as I see it: One, we have had individual Senators who have used their right to object to a unanimous consent, delaying almost indefinitely—in some cases killing—legislation from being able to move forward by a single objection, and a lot of times they are not even on the floor of the Senate to make that objection. They just through their leader say, We don't want this bill to move forward; and maybe, yes, we will let it move forward if you will let us have 50 amendments. That is the same as killing the bill.

So we have seen individual Senators exercising their right to object who have brought legislation to a standstill on the floor of the Senate. That is wrong. And as my distinguished colleague, the Senator from New Mexico, pointed out, the majority leader has had to file record numbers of clotures to end debate because the minority party, for whatever reason, has not allowed us to proceed with legislation for debate.

Normally the majority party has the right to determine the agenda of the Senate. They don't have the right to pass bills; that is up to a majority of the Senate. But the majority leader should have the right to bring a bill to the floor of the Senate. That has been denied over and over by the minority party. That is wrong.

I agree with my friend from Alabama that there should be the right to offer amendments. I think we should debate issues. I agree with that. But that hasn't been the problem. The problem has been that a certain number of Members have used their right to object, working through the Republican leader, blocking us from considering a lot of bills on the floor of the Senate.

So what do we need to do? We need to be able to first move legislation forward. We need to be able to bring bills out of our committees and have them on the floor for debate, get on the amendment process.

We just took up the National Defense Authorization Act. We used that process. It worked. That bill passed the Senate by an overwhelming number. We considered many amendments. By the way, every amendment was considered by a majority vote. That is how this should work. Majority rules should rule on the floor of the Senate. I agree with all of that.

The first order is to be able to bring bills to the floor in a more efficient way. The second problem we have, quite frankly, is that the Republicans have blocked the ability to orderly consider the nominations of the President, whether they are his Cabinet or subcabinet positions or whether they are the article III judges. In many cases, once we get to the nomination it passes by an overwhelming majority. I can't tell you how many nominations have been approved basically by voice vote in the Judiciary Committee that have had to wait months for consideration on the floor of the Senate. In my State of Maryland we had several nominees, not controversial at all, who had to wait month after month for confirmation before they could sit as a district court judge.

First of all, it is unconscionable to make people wait when we need to have judicial positions filled. Secondly, it is affecting us getting the very best people to step forward to serve, because do they really want to go through that type of uncertainty, not even clear whether the Senate will act on their nomination before it adjourns? So the second issue is we have to act on nominations in a more efficient way.

The third—and I agree with my colleagues here. Ultimately, the majority of this body should be able to move legislation. And at a minimum, I agree, if you are using an extraordinary measure as a minority to block legislation, you should be on the floor of the Senate speaking on that issue. Your responsibility should be to talk. If you are using a filibuster, you should be there engaged in that filibuster.

I think these are reasonable reforms that we should try to move forward. This body operates on a lot of unanimous consents; we move a lot of legislation. We have what is known as the hot line, where at the end of the day we try to clear bills and then the leader brings them to the floor for consent or voice vote. At times there are Members who put a hold on a bill, and we have had Members who put holds on hundreds of bills. They should come to the floor to object. In many cases these are

not broad bills. These are bills that affect perhaps land in New Mexico or establishing a national park in Maryland that have gone through the whole committee process and we have worked out all the cost issues so there is no cost involved. They have passed the committee by overwhelming majority votes—in most cases unanimous votes. But now you need to move them forward so we put them on the hot line, and we don't even in some cases know who is objecting. The Senator who objects should come to the floor of the Senate and object and give a reason. I know we got rid of the so-called secret holds, but they still exist today. We should operate with Members being here on the floor conducting business, not in their office either in the Capitol or in their home States. They should be here on the floor of the Senate if they intend to exercise their right to object, and then give us an opportunity to work that out so we could move legislation more efficiently.

The bottom line, what we need to do, is make this system work more efficiently. This is the greatest deliberative body in the world. We should be debating issues. That means bringing bills to the floor in a more timely way, getting on amendments in a faster way, voting and debating issues for the American people.

I applaud the Senators from New Mexico and Oregon. They have taken the leadership on bringing this to the attention of the American people. I think for too long a period of time Americans didn't focus on this issue.

Well, they are focused on it today. They understand that a lot of the bills they wanted to see passed in the 112th Congress didn't get passed and they want to know why we didn't even debate those issues.

Let us reform our rules and procedures on the floor of the Senate to reflect the best traditions of the Senate. That is what the Senator from Oregon, the Senator from New Mexico, and others are trying to do.

The Senator from Alabama talked about restoring the traditions of the Senate. I hope we can do it in a bipartisan manner. That is the way it should be done. We should come together to preserve the institution. It should work whether the Democrats are in the majority or the Republicans are in the majority. The same rules should work. Whether we are in the majority or minority, we should believe that we should come to the floor of the Senate to debate the issues that are important to our constituents.

I thank again my friend from New Mexico for allowing me to engage in this colloquy with him. I applaud him again for standing up on this issue. I know it has been difficult at times when many people come over and say, Why are you trying to change the traditions of the Senate? The truth is we are not trying to change the traditions of the Senate. We are trying to restore the Senate to the type of body it should be. I don't think there is a single Member of the Senate who believes that we conducted business in the best traditions of the Senate during these past 2 years, and that has been because we have seen the abuses of individual Senators holding up bills and not being able to debate issues. We have to overcome that. I think we have a chance to do that at the beginning of the 113th Congress, which will start in less than 24 hours from now. I am pleased that the three of us will all be in the Senate in the 113th Congress, and I hope we will have a chance to resolve these issues because I think it is critically important for the people we represent in our respective States and in the country.

Mr. UDALL of New Mexico. The Senator from Maryland hit on a couple of incredibly important points here, and I hope he has a minute or two to further engage in a colloquy.

First of all, we shouldn't be saying all the credit goes to me or to the Senator from Oregon. Senator CARDIN, the Senator from Maryland, participated very actively 2 years ago in the key group of Senators who were trying to understand what the rules were all about, why the Senate wasn't functioning, and how do we get to the point of drafting a package and working out a package to make it happen. I congratulate him for that.

I want to also congratulate the Senators who have worked on this from about 2006 on. Those Senators have come in and they have seen the Senate not be the way it should, not maintaining those traditions of debate and discussion, and then finally, at the end of the day, acting on those important problems.

The Senator from Maryland knows that history. I appreciate exactly what he said. It should be bipartisan. As he knows, what frequently happens around here is that when you get close to having 51 votes—which we have today, we have 51 votes, and the majority leader has 51 votes to be able to walk down here and say: These are the rules we want, and to do it. When the reality sets in on the Senate that we have 51 votes, then people start thinking, how do we want to put this together?

A bipartisan tradition is important. We have—the Senators from Oregon, Maryland, myself—we have all invited our Republican friends and colleagues forward, saying: Engage with us to get back to the point where this Senate can operate in a bipartisan way with respect to the rules and with respect to the substantive legislation.

What I want to ask the Senator from Maryland has to do with the President's team. We only have one President at a time. We have Barack Obama in as President. He was reelected. He still has people from this Congress—a large number of judges, of nominees—who are held up for months and months. Does the Senator from Maryland believe that the nomination process is broken, that we need to move forward, to find a way so we can get up-or-down votes on some of these nominations, whether they be judicial, whether they be people who are going to serve in these Cabinet agencies?

Mr. CARDIN. I thank the Senator for raising the issue. Let me tell people what happens all too frequently in this body. The President will nominate a person to be at a Cabinet-level or sub-Cabinet-level position that requires confirmation of the Senate. Individual Senators say: I have a problem. Maybe it is the person in the health department. I have some problems in the health department that I would like to see paid attention to. It has nothing at all to do with the nominee. In fact, getting a confirmed person in that position would be very important to getting those issues resolved. The Senator uses what is known as the courtesy of a hold to hold up that position in order to try to get changes made in that agency. That may take a week. That may take a month. That may never be resolved. In the meantime, we are not acting on many of the positions that require confirmation from the Senate.

I think we are down to about 500 positions now that require Senate confirmation. We streamlined that in the last Congress. We eliminated some that required the confirmation of the Senate. That was a good change we made 2 years ago. That worked. We now have somewhere around I think 500 or 600 positions that require Senate confirmation.

Let me give a little arithmetic here. If the majority leader has to bring a cloture motion in order to break an individual hold of a Senator on those 500 nominees, the Senate will do nothing but nominations. We will not be able to do any other business because, as you know, it could take up to 30 hours of postcloture time to consider just one nominee. So under the current rules of the Senate, if one Senator wants to stop the confirmation process, that Senator can basically stop it and bring it to a halt. That has happened. We have seen that happen too frequently.

One of the suggestions that has been made is that when we have these confirmations that have been approved by the committee, allow us to bring them to the floor and certainly eliminate or restrict the postcloture time because it is not used other than for a delay purpose. In that way, we can bring forward nominations more efficiently. If there is a serious problem, let a Senator register the problem. Let a Senator come to the floor and speak about the person. But we have not had discussions on the floor.

It is interesting—when we finally break that hold and the nomination comes forward, we finally get a cloture motion passed, the debate time is virtually zero. There is no debate time needed for these. It is not as though Senators are delaying it because they need debate time. These are strictly dilatory actions.

For the sake of any administration, whether it is a Republican administration or Democratic administration, whether it is the first term or second term, that President should be able to get his or her team in place. Yes, we should take seriously the advice and consent of the Senate. That means we should vote on those nominees. If there is a serious concern, let's vote on it, and if we want to filibuster it, be on the floor debating why.

We think the minority has a responsibility—or in some cases it could be a minority within the majority—to argue why we believe it is important to bring this matter to the attention of the American people. But don't continue the practice that has been used in recent times where nominations are delayed months and sometimes indefinitely because of basically unrelated issues or the will of the minority or a number of Senators—in some cases, just a handful. That should not happen. We should be able to do these more efficiently.

We have a recommendation for this, and it is very simple: Let's eliminate the postcloture time. That way, we would be able to bring the nominations to the floor and act on them in a much more timely way if there is really an issue about getting a vote on a nominee. There are ways we could do that, but it should be part of the reforms of the 113th Congress.

I thank Senator UDALL for bringing up that issue. That is a very important issue for any administration, whether it is a Republican or Democratic administration. It is hard to hold an administration accountable if they do not have the confirmed top leaders of their team.

Mr. UDALL of New Mexico. The Senator from Maryland has really hit it on the head. You do not have to go any further than today's Executive Calendar. We all have them on our desks. You pick up the Executive Calendar and, talking about approving these nominees and judicial nominees, executive nominees, here I see on page 4 that we have people who have come out—this is for the judiciary—have come out of committee March 29, and they have not gotten a vote. Here is another one from April, reported by the committee—April 26, May 17, May 17, June 7, June 21. These are nominations where people have stepped forward. They want to be public servants. The President has nominated them. They have been through the committee process, and they are just waiting.

As the Senator from Maryland said, what ends up happening is that good people are discouraged from taking these jobs. My grandfather used to say that if you do not have good people in government, the scoundrels will take over. We are discouraging good people from getting into government. You need good people in public service, and we are discouraging them by setting up a process where, as the Senator from Ohio told me—he had a judge recently, and he told the gentleman: This is a long process, it is laborious, it is tedious, and it will probably take you a year if you are willing to go through this. When the judge finally agreed, it took 2 years from the time the President put him forward until he was actually on the bench.

I ask the Senator from Maryland, does he think people are going to put themselves out there, and doesn't this discourage good people from getting into public service? Don't we want the very best and the brightest on our benches and in the executive branch working for the American people?

Mr. CARDIN. I can tell my friend from New Mexico, that is happening today. I have talked to people in Maryland who are very reluctant to put their names forward because they do not want to put their families and themselves through the uncertainty.

Let me tell you what happens. Let's say you are a distinguished attorney in a law firm and we would love to get you as an article III judge, so we convince you. You are the most distinguished person for this job, the person everybody wants, not partisan at all, no controversy. The Bar Association will give you the highest ratings. You have already been vetted through the FBI process. There is nothing in your background that would raise a concern with anyone. But you look at the calendar here and say: If I go through this, I am going to be on this calendar for at least 6 months, it looks like. What does that do to my law firm? Can I try cases? What do I do for the next 6 months? It is not fair to me, it is not fair to my law firm, and it is not fair to my family. So you are not going to put yourself forward.

Let me tell my colleagues about another problem. In many of these circuits where these judges are sitting—these nominees are waiting month after month, and we have judicial emergencies. We have a chronic problem of moving cases in these circuits, where the administrators of the courts—these are independent branches of government—tell us they cannot do their job because they do not have the manpower to do it. And we are holding up confirmations not because of any substantive reason but because of the process or because of one person in the Senate who, for reasons unrelated to that individual, is holding up all of these nominations. That is not right. We are denying our country the very best, who cannot step forward under this type of circumstance, and in many cases we are denying justice in our circuits because we do not have people in place to be able to timely resolve rule-of-law issues, which is the basis of our system here in America.

It is a very serious situation. We need to resolve how we handle the Article III confirmation process in the next Congress, which starts again in less than 24 hours, as well as the individuals whom we want on the boards who need confirmation—the sub-Cabinet and Cabinet positions.

The same thing is true of Cabinet positions. If you are an expert in securities issues and we want to get you on the Securities and Exchange Commission and you have to be out there for 6 months, what is it going to do for your business? Can you do your profession?

It is just not right. I think people are willing to be subjected to the scrutiny of advice and consent. They understand that. What they do not understand is dilatory delay, and that is what has to come to an end.

I thank my colleague for raising those issues.

Mr. UDALL of New Mexico. I thank the Senator from Maryland. He is passionate about this, and he has explained it very well. I ask any Senator to look at this Executive Calendar today. We are doing exactly what my grandfather advised against when he said that if the good people do not go into public service, the scoundrels will take over. You get second-class government. You don't get good people. We are discouraging good people from going into the government with the procedures we put them through, with the length of time of this delay. This is not what we should be doing in the Senate.

I yield.

Mr. CARDIN. I ask my colleague—I daresay most people in this country do not know what a motion to proceed is all about. They do not realize the majority leader cannot bring a bill. A bill might be reported. We might have a farm bill or a Defense authorization bill or we might have a bill coming out that reforms some of our judicial codes. It comes out of the committee with a bipartisan vote. I think our constituents will be surprised to learn that the majority leader cannot bring that bill to the floor. It has to go through what is called a motion to proceed.

What might happen in that motion to proceed? You might just tell us the problems we have today because we couldn't get to a lot of motions to proceed.

Mr. UDALL of New Mexico. The Senator from Maryland has hit it on the head. Look at what we are talking about on a motion to proceed. I think it would surprise the American people to know that if the majority leader comes to the floor, now we have—this is not to make it partisan in any way—55 Democratic votes. The majority leader says: I see we have a serious housing problem. We want to put a housing bill onto the floor of the Senate.

I don't think people realize that the majority leader, if he doesn't have any agreement at all, then has to file a motion to proceed to that bill. If all the delay and roadblocks and obfuscation are put in front of him, it takes him 8 days to get to the bill if he can get 60 votes. If he does not, he probably wastes a whole week trying to get to the bill, and he doesn't get 60 votes, and then we fold it down and say: What is the next issue we should move on to?

As the Senator from Maryland knows, we have to be able to put bills onto the floor and give them the time they deserve. We are wasting all this time up front that we could have a bill on the floor, we could have amendments, we could have debate, we could have all of those things going on that we know are the way the Senate should work.

I yield.

Mr. CARDIN. Under current policy, the motion to proceed has to be approved before anyone can offer any amendments. My friend from Alabama is talking about amendments. We cannot offer any amendments until we get the bill to the floor. So the majority leader is trying to bring up this bill to deal with housing because we have a housing crisis. It came out of the committee, everybody was ready to move on it, but he cannot get the motion to proceed approved. Now we are literally in no-man's land. We cannot offer amendments and cannot proceed on it.

The majority leader has one of two choices: He could wait for us to reach an agreement—if we ever reach an agreement—or file cloture. He should not have to do that. He should be able to offer the bill and offer amendments and get started. We cannot do that. We have to approve the motion to proceed first. So the majority leader tries to condense the clock. People complain that we are not getting work done, so he files cloture on the motion to proceed. As a result, we have to waste one full legislative day before we can get through to the vote on the cloture. If we get to the vote on the cloture—this is on the motion to proceed. This does not deny the right of any Member to offer any amendments, whether germane or not germane.

Let's say the majority wants to approve the motion to proceed and get 60 votes on the cloture—and, remember, this is the third legislative day. Let's say it is approved 95 to 1, because there was one objection. That's why we could not get the motion to proceed done. Now we are on the third legislative day and we have 30 hours of postcloture time. Another 2 days go by, and we are now on the bill, but we cannot debate the bill. We have not even started the amendments.

My friend from Alabama is saying he wants to deal with amendments. Well, I want to deal with amendments. Why do we have to waste all those days to get to the bill? That makes no sense at all. A lot of us think we should be able to bring up a motion to proceed. We have some recommendations on how we can expedite that and guarantee some amendments as part of the process. That is all part of what we have all been working on: How can we get the Senate back to its traditional way of considering legislation in a fair manner and making decisions?

At the end of the day, this is a democracy and the majority should be able to control the policy of this body. At the end of the day, it should be able to do that. Certainly those who object should be on the floor telling why they are objecting. I think that is what we are trying to do. We are trying to get this process to work in a fair manner, and I understand we have to protect the rights of the minority.

My friend from Alabama raised a very good point. There are no guarantees of how long one party will be in the majority. We understand that. The political whim of Americans changes over time, political preferences change over time, and we have to make sure that the rules we operate under protect both the majority and the minority. That is absolutely important.

The Senate is a deliberative body, and we want to make sure that all rights are protected, including the minority. However, what is wrong is when one, two, or a small group of Senators can basically bring this institution to a halt. They have done that over the last couple of years at a time when we could have done more business. I think starting tomorrow we have a chance to change some of those procedures. I hope we will be able to get that done.

Senator UDALL has really brought these issues to light—whether it is the motion to proceed so we can start debate or whether it is how we can dispose of amendments, handle a filibuster, deal with court and other nominations, these are all important issues. How we deal with what we call comity, or respect of Senators, how Senators deal with objections, how they should be on the floor of the Senate to raise those objections, and how objections are done.

When a committee is considering a bill on the floor and the managers are considering that legislation—they have an orderly way to consider the amendments—and all of a sudden we hear one Senator objects and stops us from moving forward on amendments—well, that should not take place. If the Senator is going to object, have the Senator on the floor saying why he or she is objecting. Don't do it by saying we can stop consideration of the bill and go into a quorum call and lose all that valuable time.

I think there are some commonsense changes. I do hope we can get Democrats and Republicans joining together for these reforms. Whether Democrats or Republicans are in the majority, that is how the rules should work to protect all the Members of this institution.

Mr. UDALL of New Mexico. To the Senator from Maryland, I have one more question if he has time. First I want to respond as to the motion to proceed and what he has just talked about. This means we cannot get on legislation, as he laid out, for a large number of days. Sometimes we burn a week and several more days before we are able to get on to the bill.

The Senator by the name of Senator Pete Domenici, whom everybody knows very well, served for 36 years in the Senate and was my predecessor. He served on bipartisan study groups to look at the rules. We have had many study groups such as that. They have always concluded that the motion to proceed should be short and significant, and we should get on to the bill.

Senator CARDIN has worked very hard to do the same with a bipartisan group to say: How can we make it work better? How do we make this institution work better? The reality is we get on to the bill, allow amendments, allow debate, and allow discussion. That is the way to move. On a number of occasions this has been bipartisan. I hope we can join together.

My question goes to a different part of the rules. As the Senator from Maryland knows—and we both served in the House together—today we have a Democratic Senate and a Republican House. The way to resolve differences between the two is to go to conference. That is the best way to bring the expertise of both bodies and the people in the bodies who know the substance of the legislation and bring them together if there are differences. If they both pass a bill, they get together, resolve those differences and then the respective Houses pass them and they go on to the President.

We now have in our rules for the Senate three debatable, filibusterable motions to go to conference. We look at them and we say: Well, they are basically about going to conference. Let's shrink down the proposals we are hearing. Why are we putting a filibuster in place to get into conference to try to resolve disputes?

I know the Senator has looked at this issue. My question is: If the Senate is able to pass a bill on housing—to use the housing example—and they are very different bills, but if we have smart people from the Senate and the House who are on the Housing Committee getting together—as the Senator from Maryland knows—we can resolve those differences. We can find the common ground and move forward.

I ask the Senator: Aren't our rules a little bit antiquated in terms of having three motions to go to conference and allow a filibuster on every one of those rules?

Mr. CARDIN. The Senator is absolutely right. I think when those rules were promulgated, the view was they would be done routinely and that there would never be a challenge to the action taken. The action is going to conference, appointing conferees, and instructing the conference. The Senator is absolutely right, they are all the same. It is getting us into conference where the House and Senate Members can be together, resolve their differences, and report a common bill back to both bodies. That is the whole purpose of a conference committee.

I think it is particularly important today that when we have the House controlled by Republicans and the Senate controlled by Democrats, we should use regular order. We should meet with our Republican-controlled delegations

with the Senate and try to resolve our differences in an open and transparent way that the rules apply.

Under the current rules, since each one of those is a separate action—as Senator UDALL pointed out—we can object to it being routinely approved. At that point, under the current rules, we can force—this is all precloture—a cloture motion being filed on each one of those three separate actions.

I already went over how much time it takes for a cloture motion to ripen. Let's assume we can get over that hurdle—which we cannot—each one of those cloture votes, even though they may be 99 to 1, will have 30 hours of postcloture. If we start to add it up, we are going to lose over a full week just to get into cloture, which obviously means we cannot get it to conference. We cannot use the deliberative process to resolve our differences and we cannot use the Senate unless we have unanimous consent, basically, and that is wrong.

So we do have a recommendation, and I am pleased the Senator pointed out that we are working with Republicans. We have had a group of Democrats and Republicans working together to try to resolve some of these differences, and I think there is general agreement to collapse those three motions into one motion so that at least we can eliminate the extra two votes and potential cloture votes and postcloture time which would be required. I think that is a relatively easy change for us to make. I don't know of anyone who objects to that. I have not heard of anyone who objects to that. I hope we could get that done.

When we start looking at where we could change the procedures and where we hope we could get bipartisan support, I think going to conference is one area on which we could get bipartisan support.

I agree with the Senator in that I have not heard of anyone who believes the motion to proceed has been used in the proper way. I think we can find a way to condense that. I hope we can. There have been some bipartisan recommendations to have orderly ways in which we could go to the motion to proceed immediately by certain guaranteed amendments or where the two leaders have agreed to go to a bill, so I think we could do that.

I think there has also been some agreement on the nomination to shorten the time so we can move that along. I think we have both Democrats and Republicans who are in agreement with that. I hope we can figure out a better way so we don't have to file all these cloture motions and waste a lot of time and those who object on the floor with the burden to debate the issue—I think that is the important reform that needs to be done.

Mr. UDALL of New Mexico. The Senator from Maryland has been here a little bit longer in the Senate than I have. Could the Senator talk about how many conferences we have done? The Senator has served in the Maryland Assembly in the legislature. The Senator saw conferences all the time. I remember in my early days in the House, we had conferences all the time. My sense is the majority leader, in looking at this path to get to conference, has said, well, that takes too much time.

Mr. CARDIN. I probably am in a position that most of the Members of this body are not in. I have served on one conference committee—I have been here 6 years—and it was a successful conference committee. It dealt with the payroll tax extensions and some of the other changes. I was able to serve on that and we were able to reach a conference agreement and we were able to get our work done in a timely way. We got it done early by Senate standards and the legislative standards. I am trying to think if there were any other conferences that were reported back. I think we had one maybe on aviation that was reported back. I don't think there were more than a handful of conferences that have met in the last several congresses. There were maybe a couple each Congress. Think about how many bills were between the House and the Senate. It is a rarity. It is virtually not used. Interestingly enough, when it is used, we generally get better results, earlier results, and more open results.

I appreciate the Senator mentioning serving in the State legislature. I am a former speaker of the State legislature. I think we get better laws when we use the legislative process and have a more open process where the committees work and bring the bills to the floor, actually debate them and amend them on the floor of the Senate. That way when there are differences between the House and the Senate, they are worked out by the Members. They actually meet and work out their differences.

We are the ones who are accountable for the legislative process. It should not be some supercommittee or bargaining units that are set up by the President and the Congress. They should not be the ones. It should be the legislators who make these decisions, and that is why I think it is so important to get the committees functioning, get the floor of the Senate functioning, and get the conference committees functioning. I think if we can do that, we are going to get better laws, laws that make more sense, better understood, and that will stand the test of time. That is what I think all of us are trying to do.

We seek these jobs because we believe in our system. We believe in the richness of an independent legislature where we are held accountable for the work we have done. Quite frankly, it is difficult for us to get our work done in an accountable way if we don't have an open and transparent system. When we don't have conference committees that can function or we don't have committee work that can come to the floor of the Senate, then we are diminishing our constitutional responsibility to the people who elected us.

Mr. UDALL of New Mexico. I thank very much the Senator from Maryland for his commitment to pursue these bipartisan rules changes to make sure the rules get changed. I know I reminded him about my predecessor, Senator Domenici. Senator Domenici would fight hard, and whenever he tried to look for bipartisan solutions, coming down to the motion to proceed, Democrats and Republicans said we have to get off this motion to proceed and we have to get on the bill. So I thank the Senator from Maryland.

Mr. CARDIN. The Senator from New Mexico has been the one who has brought this to us, and I know he has included others and certainly Senator MERKLEY has been in the forefront of this. The Senator from New Mexico has taken a real leadership role and he has done it in an open way. We want this done with Democrats and Republicans working together because we recognize the system only works when Democrats and Republicans can come together. That is why he has taken the time today on the floor of the Senate, and he has been very open about this issue. He has taken it to a lot of groups explaining the impact.

People ask us all the time: Why can't we do more to help the environment? Why can't we do more to help working families? Why can't we do more for affordable housing? Why can't we do more for affordable health care?

We say: We can't get that bill to the floor of the Senate.

They say: What are you talking about? You are a Senator. Bring it up on the floor of the Senate.

We heard Senator SESSIONS say the Senate can offer an amendment at any time. Just try.

We want the system to work. Whether a person is a Democrat or a Republican, we want the system to work. That is why we are taking this time today, at the end of the 112th Congress, to say: Look, what happens on Senate rules and procedures affects every person in this country.

I have talked to so many people who have come into my office with individual concerns, including families who are worried if their children will get the type of attention they need if perhaps they have a disability and they are working on a bill that will help, and they have all these cosponsors of the bill and they hear the committee reported it favorably and they are wondering why we can't act on it on the floor of the Senate. That is what is at stake. We can say to them: Oh, I am a cosponsor of that bill. I voted for that bill, but the bill didn't become law because of the process we have now.

That is what we have to correct. That is going to be our responsibility starting tomorrow, at noon, to deal with rules and procedures so we are in a position during the next 2 years to end the gridlock that has happened on

too many issues. Yes, the public understood somewhat the gridlock on the fiscal cliff. They don't understand the gridlock on that bill that affected that family with a child with a disability. They don't understand why that bill couldn't make it to the floor of the Senate. We understand that. What the Senator from New Mexico is doing is taking action so we can be held accountable and do our work in the most efficient way. I am proud to join him in these efforts and I urge all my colleagues to do everything we can in the next 24 hours so we can get progress made.

Look, we all know we are not going to get everything we want. This institution doesn't work that quickly, but let's make progress, and I think we can make progress in the 113th Congress.

I thank the Presiding Officer and I thank the Senator from New Mexico for their leadership.

Mr. UDALL of New Mexico. I thank the Senator from Maryland for his sincere effort to pursue bipartisan rules reform because I think, if we all work together, we can make the Senate a much better place.

I am reminded, when we have these discussions about the great traditions of the Senate, of two periods of time when the Senate truly stepped to the plate. We had crucial national issues facing us then and they were issues of war and peace. They were issues of terrible environmental destruction. The fact is the Senate, in its best traditions, stepped forward and acted and moved forward. One of those great traditions of the Senate acting occurred in the 40 years before the Civil War. People may not know it, but it was the Senate and the legislation that was passed through the Senate and signed by the President that for 40 years held the Union together. They held the country together, and they didn't let the country get into Civil War. It was people such as Webster and Calhoun and all the Senators at the time focusing on what the issues were. Whether it was the Missouri Compromise or some other issue that had to do with slavery, they found the common ground, and they held the Union together and they did it for 40 years.

That, my friends, is in the best traditions of the Senate, thinking and figuring out where the common ground is. We can't do that. We can't carry out that tradition unless we can get bills on the floor and we can amend them and have debate and then eventually get to a majority. Of course, we want the minority to be able to be heard, offer amendments, but the crucial fact is, at the end of the day, unless there is such a strong minority in terms of its activity, we get to a majority vote.

The other period of time where the Senate was in its glory days was in the 1960s and 1970s and we had huge national problems in terms of civil rights. We had lynchings going on, we had discrimination going on, including housing discrimination, discrimination in public accommodations, and there was a big push to try to get rid of that in our society. It was the Senate that stepped forward and crafted civil rights legislation that allowed us to move forward.

Many people will remember in the 1970s, the glory days of the Senate, when we had environmental destruction, rivers catching on fire. The Wilderness Act, the Clean Water Act, the Clean Air Act, all those pieces of legislation were crafted in the Senate by people such as Senator Ed Muskie and Senator Stafford and others. They were Democrats and Republicans working with each other, but it was because we could get the legislation on the floor and work on it and amend it and move it forward and allow the deliberative process to work.

I submit the Senate has been at these two periods—and I am sure scholars and our Senate Historian and others can point out other periods—but these two periods struck me: the period of the 40 years before the Civil War when the Senate, in its deliberative way, held the Union together for 40 years and in the 1960s and 1970s when we addressed civil rights, environmental legislation, and many of the other big national issues we were facing.

So here we are as a country with the need for having a national energy policy, for dealing with issues such as climate change, protecting middle-class families, and trying to make sure we have job growth and economic development; doing everything we can to bring down the cost of health care but making sure our citizens have high-quality health care.

We face tremendous issues, and the Senate, in many cases, has been unable to act. We have been unable to act because the rules are being abused. This filibuster is not out in the open. It is secret, it is silent, and we have the opportunity to act on the first legislative day.

So on that first legislative day, I will offer a motion. It is a very simple motion my predecessor, Clinton Anderson, offered. He offered it for the 25 years he was in the Senate. On the first legislative day he would offer a motion. He would move to adopt the rules of the Congress—for him, whatever it was. So this motion dealing with tomorrow: move to adopt the rules for the 113th Congress and then we focus on it. We focus on what those rules should be.

I know our Republican friends realize, I know they understand the dysfunction and hopefully they will find a way to join with us to make the Senate a better place.

## EXTENSION OF MORNING BUSINESS

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that morning business be extended until 5 p.m., with all other provisions remaining in effect.

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

### RULES CHANGES

Mr. UDALL of New Mexico. I will finish by thanking my friend, a very close colleague on this particular issue, the Senator from Oregon. I know he has worked diligently on framing the talking filibuster, trying to bring it open, and make it the public process that will work for the whole Senate. He has been a key player in all the other rules reform, especially those two packages we put forward in the last Congress. I thank the Senator from Oregon and I thank the Senator from Maryland.

I now see on the floor the Senator from Illinois, who also has been here for a significant period of time. He has watched the rules operate, and I think he believes there has been a lot of abuse and we need to get down to the business of reforming these rules in a way that is going to work for the minority, because we know we will be in the minority sometime and work for the majority, so we can do the work of the American people.

I yield for the Senator from Illinois.

Mr. DURBIN. I thank the Senator from New Mexico and the Presiding Officer, the Senator from Oregon, for their leadership in talking about rules reform. They are relatively new to the Senate. I have been here a few years and I have seen a dramatic change, and it is not for the better.

I can recall when I came here fresh from the House of Representatives, as the Senator from New Mexico did, and I had my first amendment on the floor. A lady named Lula, who was the floor manager on the Democratic side, came up to help me, this brandnew freshman, with this first amendment. She said to me: So let me explain that you have 1 hour and then the Senator on the Republican side will have 1 hour.

I said: Well, is that equally divided?

She said: No, you have an hour.

To say to a Member of the House ''you have an hour'' is just unthinkable. You get an hour for a special order at 11 o'clock at night; otherwise, 60 seconds is considered to be a luxury in the House. I didn't know what to do with an hour and I certainly didn't use it all. But it is an example of a time when amendments came to the floor with real debate, and there was a Senator from South Carolina who opposed my amendment on the floor as well.

I can also remember coming to the floor and offering amendments literally on the spur of the moment on something I thought was worthy. I didn't always win, but that wasn't the point. I wanted to have debate and then a vote and it happened. Now that is almost unheard of. We go through these vote-athons, where we have these long series of amendments with 60 seconds of debate before the vote. It troubles me because that isn't what the Senate is supposed to be about.

I had a friend of mine in the House—the Senator from New Mexico probably heard of him—Mike Synar of Oklahoma. Mike Synar used to listen to Members of the House of Representatives whining and crying about the

controversial amendments they were forced to vote on. Mike Synar, who was rather candid in his comments, said: If you don't want to fight fires, don't be a firefighter. If you don't want to vote on controversial amendments, don't run for the House of Representatives. That is what we are here for.

I tend to take the same point of view, maybe because after a few years a Senator votes on everything at least once.

But we have to get back to where we aren't just lurching, as we are now, from one quorum call to another, an empty Senate Chamber, waiting for something to happen. There is a lot out there for us to talk about, and we should. I think the American people would feel a little better about us if we sat down and at least honestly debated an issue and voted with some frequency.

What we are trying to do now is to stop what I consider to be the gross abuse of the filibuster. What we have been through here has destroyed the functionality of the Senate. To think any person can come to the floor and basically bring this place to a halt not just for an hour or a day but maybe 1 week, that goes way beyond what I believe was the intent of creating this body. We wanted to be here in those historic moments of titanic debates over issues that changed the course of history and to reflect and respect the rights of the minority. But now it has become one sad example of obstructionism after another.

I think the Senator from New Mexico is moving in the right direction. I am not sure we will achieve exactly what he wants, but I can say we wouldn't have this conversation unless the Senator from New Mexico and Senator MERKLEY had shown such initiative for years—they have been at this for years, if I am not mistaken—and I do believe it is going to end up in changes to Senate procedure, which I support, that will try to make people stay on the floor.

I have one example. The Senator from New Mexico may remember when a Senator from Kentucky, now retired, Senator Jim Bunning, objected to the extension of unemployment benefits. We wanted to extend them for literally millions of Americans, and he stood up at his desk on the Republican side and said, ''I object,'' and then sat down. That was the end of the story. That was really the end of the debate.

So I went to the floor, and I said: I just want to give notice to the Senator from Kentucky I am going to renew that request every half hour, so you better return to the floor—because he has to object every time. This was late at night.

We mobilized a number of people in the cloakroom, and we came to the floor and we kept it going. Finally, he got up and complained he was missing the University of Kentucky basketball game on television because of this. I thought: Several million people are missing unemployment benefits because of this too.

So that is in the nature of what the Senator is trying to achieve. If there is something important enough to stop the course of the Senate activity, to stop the business of the Senate, then you should be prepared to be on the Senate floor and argue your case and bring your allies with you. If they will join you, then perhaps you will have a debate that is worthy of this body.

Unfortunately, we now have Members who make their objection and leave for dinner or for the weekend or to attend a wedding, which happened once, and you do not see them again, and the Senate waits and waits and waits. That does have to come to an end.

I thank the Senator for his leadership on this important issue. I do not know that we will take it up tomorrow, but I think we will take it up very soon, and we should.

I thank both Senators.

## REMEMBERING DANIEL K. INOUYE

Mr. CONRAD: Mr. President, I want to take a moment to honor the life and career of my colleague and friend, Senator Daniel Inouye, who passed away on Monday, December 17 at the age of 88.

To say that Mr. Inouye lived a full life would be an understatement. A veteran of World War II, Mr. Inouye served his country valiantly in Italy before sustaining an injury that would claim his right arm. The bravery shown by Mr. Inouye during his service to our country later earned him the Bronze Star Medal, a Purple Heart, a Distinguished Service Cross and ultimately, the Medal of Honor, the highest military award.

Mr. Inouye began his political career after graduating from the University of Hawaii. He then obtained a law degree from one of my alma maters, the George Washington University. After first being elected to serve in the Hawaii territorial House of Representatives and later the territorial Senate, Mr. Inouye became the first person from Hawaii elected to the United States House of Representatives after Hawaii became a state in 1959. After serving 3 years in the House, Mr. Inouye was elected to the Senate where he would go on to be elected to serve the people of Hawaii 9 times. In June of 2010, Mr. Inouye was elected to succeed Senator Robert Byrd as President pro tempore of the Senate.

Throughout his political career, Senator Inouye was first and foremost a servant of the people of Hawaii. He has served them in Congress ever since Hawaii was admitted to the Union. After over five decades of service, it is no wonder that Dan's mark can be seen all across the islands. I was proud to serve with Senator Inouye on the Indian Affairs Committee, where he was a voice for the Native Hawaiian population. Throughout his career, he worked tirelessly to ensure that Native Hawaiians had access to education, healthcare, and jobs. One of his achievements was the Native American Languages Act, which has helped Native people preserve and practice their tribal languages. In particular, during my first term in the Senate, Senator Inouye worked with me in the committee to pass legislation providing compensation for two Indian tribes in my State that were impacted by the construction of the dams along the Missouri River. That effort provided a critical source of funding for the tribes to restore their economic base.

Senator Inouye also fought hard to defend Hawaii's natural beauty. Because of his efforts, thousands of additional acres have been added to national parks, wildlife refuges, and nature preserves. It would be hard to imagine what Hawaii would be like today without Senator Inouye's leadership and effective representation. His love for the people of Hawaii was on his mind and in his heart even at the end, when the last word he spoke was ''Aloha.''

In his role as chairman of the Appropriations Committee, Mr. Inouye fought for aid for my home State of North Dakota after devastating, record breaking flood waters decimated the community of Minot in 2011. Mr. Inouye used his power to ensure that the residents of Minot received critical aid to help them rebuild their lives.

Mr. Inouye is survived by his wife, Irene Hirano; his son, Ken; and granddaughter, Maggie. His service to his country is second to none, the loss of Mr. Inouye will be greatly missed in his home State of Hawaii and here in the Senate.

## RESOLVING SPENDING ISSUES

Mr. KERRY. Mr. President, earlier this week I supported this agreement to avoid unacceptable tax increases on the middle-class, and to at last begin to undo the damage to our fiscal standing that began 11 years ago when President Bush signed into law unaffordable tax cuts for the wealthiest Americans. Make no mistake; that unfair and unaffordable tax policy has been the biggest driver of the fiscal mess and the complete ideological rigidity of congressional Republicans on the issue of tax policy has been the biggest obstacle to cleaning up that mess. That House Republicans remained intransigent even after the stroke of midnight on New Year's Eve just shows in very stark terms the dimensions of that problem.

In contrast, the Senate acted in an overwhelmingly bipartisan way to make the best out of a bad situation. This, at least, sends a good message to the country that there's hope that Washington can function.

But the fact that even against the ultimate drop-dead, high stakes deadline, so little common ground could be found itself underscores the dangerous situation we have found ourselves in these last years. This may have been the best that could have been accomplished at

this late hour, but it was not the best we could have done for our country or our economy.

We all knew from day one there was universal agreement about the need to protect 98 percent of American taxpayers and 97 percent of American small businesses from a tax increase. Now, having done that, I hope this removes, once and for all, the key obstacle that has stood in the way of our ability to seriously tackle our longterm fiscal problems.

Nonetheless, taking into account the actions we took in this bill—which are significant for the working families in this country—we still face a budget woefully out of balance that will threaten our Nation's future prosperity if Congress and the Administration do not get more serious about genuinely addressing these issues.

This should not come as news to anyone. The message we received over and over from budget experts, businesses, global investors, financial markets and others has been loud, clear, and consistent.

We continue to face unprecedented economic challenges, both domestically and globally. How we respond will determine if the United States can continue to claim our position of leadership in the world or whether we will have to cede that spot to someone else.

Just a couple of reminders:

Federal debt held by the public currently exceeds 70 percent of the Nation's gross domestic product, GDP, a percentage not seen since 1950. If we keep going in this direction we are looking at significant longterm damage to both the government's finances and the broader economy. The more of our resources that have to go toward higher interest payments, the more difficult it is to invest in our most urgent priorities like education, research, and infrastructure to fuel growth and prosperity. The more constrained we are in terms of Federal dollars, the less able policymakers will be to respond to unexpected challenges, such as economic downturns, natural disasters, or financial crises and the less attractive we are as a place for global investment.

Our population is changing. The aging of the baby boom generation presents enormous challenges—none of which can be solved in a political environment where one side turns tax cuts for the very wealthy into a holy grail of American politics.

Finally, we must reverse the troubling trend of increased income inequality in this country. For too long, those at the top of the income scale have prospered while everyone else struggled or fell behind. This is not sustainable.

These are big, important issues, not just for our Federal budget, but for our very quality of life.

The decisions we make—or fail to make—in this decade on new energy sources, on education, infrastructure, technology, and research, all of which are going to produce the jobs of the future, and our decisions on deficits and entitlements will without doubt determine whether the United States will continue to lead the world or be left to follow in the wake of others, on the way to decline, less prosperous in our own land and less secure in the world.

We tried to tackle these problems several times over the last few years—including on the Joint Select Committee on Deficit Reduction on which I served. Each time, the ideology of tax cuts for the wealthiest, supply side economics, and Grover Norquist tax orthodoxy got in the way of good policy and doomed the best possible outcomes.

Now, staring at the edge of the so-called fiscal cliff, we had another chance to demonstrate to the American people and to the world, we are capable of focusing on the future and solving big problems. Unfortunately, again, while for now we may avert the fiscal cliff, this is another tragic missed opportunity in solving the big challenges in a way that is fair.

One more time, we had the chance to prove our fiscal discipline was a prize well worth achieving, to make our country a safe haven for investment and to earn back a modicum of respect for Congress from the American people. In the end, this agreement does not do all of what voters sent us here for—we didn't make difficult and sober choices about taxes and spending priorities that would have restored the full measure of fairness and started to put America's fiscal house in order.

The problems we confront certainly do not go away because we were able to cobble something together. In fact, these problems very well could be compounded because the more we delay the tough choices that are truly needed, the more severe those steps will have to be in order to have any impact at all.

I am disappointed that this bill did not lay out a path or process for fundamental tax reform, which is desperately needed. Our individual tax code still is skewed in favor of the already wealthy and further widens the chasm between rich and poor. Our corporate tax code is not keeping pace and will continue to threaten the ability of U.S. businesses to compete and U.S. workers to prosper in a 21st century global economy.

I am equally frustrated that this package did not establish the needed framework for how we should strengthen our entitlement programs by looking for reasonable ways to reduce their costs, just as we did in the Affordable Care Act. It is critical we start taking real steps now to protect these programs in ways that are fair and which guarantee that we keep the promises we made to seniors when they were created.

I'm relieved that the agreement averts a 27 percent cut in Medicare physician payments for 2013 so that seniors will continue to have access to their doctors. But a one-year fix falls far short of a permanent solution, which I have long supported.

Every Medicare expert knows that Medicare's Sustainable Growth Rate (SGR) formula is irreparably flawed and needs to be repealed. I continue to believe that Congress should permanently repeal the SGR and offset the cost with savings from capping a portion of the spending for Overseas Contingency Operations, OCO, below amounts in the Congressional Budget Office, CBO, baseline.

This latest Medicare physician payment fix comes at a great cost to the health care industry in Massachusetts including our hospitals, dialysis providers and manufacturers, Medicare Advantage plans, and medical imaging manufacturers and world-class physicians who rely on this life-saving equipment.

For example, the agreement offsets the cost of SGR fix with about $15 billion in hospital cuts including: $10.5 billion in coding adjustments, $4.2 billion in Medicaid Disproportionate Share Hospital, DSH, payments, and $300 million from reducing payments for stereotactic radiosurgery services. I am concerned that continued cuts to our hospitals will ultimately jeopardize beneficiaries' ability to access care.

The agreement also lowers Medicare reimbursement for medical imaging by $800 million, leading doctors to hold on to their old equipment longer and preventing patients from accessing the newest technologies that are better at finding early-stage diseases. I have long opposed this policy which is particularly difficult for Massachusetts because we have thousands of jobs directly tied to medical imaging technology.

Additionally, I'm particularly concerned that Medicare payment reductions for dialysis services could undermine kidney care at dialysis treatment centers across the state as providers are adjusting to a new Medicare payment system.

This package also fails to resolve potential problems with the looming cuts of sequestration because it does not include more deliberate spending decisions. We have only avoided sequestration temporarily. I hope the Senate will consider legislation to reduce wasteful and unnecessary federal spending as soon as possible. There is room to make appropriate changes in federal spending.

But let us be clear that there's a big difference between wasteful spending and necessary investment. Cutting critical areas of public investment, like education, transportation, and scientific research is precisely the wrong way to promote long-term economic growth and is in fact counterproductive to longterm deficit reduction because it's the enemy of growth which produces revenue. As we look at the next round of budget discussions, we must ensure that these long-term investments are expanded and not indiscriminately hit by short-term across the board spending cuts. There are better ways to spend our scarce Federal

dollars, and we all should be willing to have those honest conversations.

Finally, I am particularly concerned that we may again see our Nation's credit rating used for political leverage when we return to the unfinished business of how to fund the Federal government for the next fiscal year or two.

Despite how it looked from the outside, the process of getting us to agree on a package of tax cuts and delays in spending reductions was the easy part. The most difficult issues remain. Our Nation needs 100 Senators and 435 Representatives who face the facts and find a way to work not just on their side, but side by side.

We still have a lot of work to do to resolve our differences and face our Federal spending issues.

## TRIBUTES TO DEPARTING SENATORS

### OLYMPIA SNOWE AND KAY BAILEY HUTCHISON

Mrs. BOXER. Mr. President, I rise today to pay tribute to my colleagues, Senators KAY BAILEY HUTCHISON and OLYMPIA SNOWE.

We have served together in the Senate for two decades and I will dearly miss their grace and their friendship. I know that whatever the next chapter brings, both Senator HUTCHISON and Senator SNOWE will leave a lasting and important legacy.

Both of these Senators are true pioneers. When she first entered Congress, Senator SNOWE was the youngest Republican woman ever to serve in the House of Representatives. Senator HUTCHISON graduated law school in 1967 as one of only 5 women in a class of 445 men. When she arrived in the Senate in 1993, she became the first woman to represent Texas in this Chamber.

Throughout her career, Senator SNOWE has been a strong advocate for the people of Maine. Whether they were children, families, consumers, or small business owners—the people of Maine knew they had a great champion in Senator SNOWE.

Senator SNOWE always worked across party lines to get things done for the American people. During her time in the House, she worked with Senator MIKULSKI to lead the fight to end the exclusion of women in health trials at the National Institutes of Health. She worked with Senator ROCKEFELLER to help bring the internet to America's libraries and classrooms. She worked with Senator Ted Kennedy to pass the Genetic Nondiscrimination Act.

Senator SNOWE and I worked together on many, many bills over the years, but I will especially remember our work on the passengers' bill of rights to provide basic protections for airline passengers. I will also remember the many times we fought together to ensure equality for women around the world.

Senator SNOWE was a true leader and her presence in the Senate will be greatly missed.

Senator HUTCHISON was a strong and passionate voice for the issues important to her beloved State of Texas.

She played an critical role in so many of the important issues facing our country over the years, from her work ensuring the safety of our Nation as a senior member of the Senate Armed Services Committee to her leadership on the Senate Commerce Committee.

We worked together to promote safety and security for Afghan women and girls, and she played such a key role last during consideration of the transportation bill. I am so grateful for Senator HUTCHISON's bipartisan efforts to preserve and protect our critical transportation infrastructure.

Senator HUTCHISON has always noted that we women Senators have repeatedly come together across party lines to achieve action on women's issues: things like pay inequality and creating tax-free individual retirement accounts for spouses who work at home.

I will miss my colleagues, both on the Senate floor and at our monthly women Senators dinners.

I wish them both well in all their future endeavors.

### KENT CONRAD

Mr. President, I rise today to pay tribute to my colleague, Senator KENT CONRAD, whom I have been fortunate to call a colleague and a friend. I have served with KENT for 20 years and my husband Stewart and I have valued the friendship of his and his wonderful wife Lucy Calautti.

From helping North Dakota recover from devastating natural disasters to promoting North Dakota agriculture as a key member of the Senate Agriculture Committee, KENT CONRAD has been a leader for North Dakota for more than 30 years.

No Senator knows budget and economic issues better than Senator CONRAD and he used his knowledge to great effect as chairman of the Senate Budget Committee. His exacting and precise assessments of our Nation's fiscal health added wisdom and maturity to a debate that was often difficult and divisive. His many budget charts alone are famous in the Senate—in fact, he uses even more charts on the floor than I do, which is saying something.

He refers to his policymaking approach as ''extreme moderation''—an approach that perfectly sums up Senator CONRAD's philosophy and demeanor. Senator CONRAD is one of our most respected members, for his steady temperament, his open mind, and his willingness to reach across the aisle in search of policy solutions.

The Senate is losing a powerful voice, and great friend to us all in KENT CONRAD.

## NOMINATION OF JOSHUA WRIGHT

Mrs. BOXER. Mr. President, I rise to register my concerns with the confirmation of Dr. Joshua Wright to be a Commissioner of the Federal Trade Commission, FTC.

The FTC's mission is to ''prevent business practices that are anticompetitive or deceptive or unfair to consumers and to enhance informed consumer choice and public understanding of the competitive process.''

Yet throughout his career, Dr. Wright has shown a disdain for this mission, and the government's involvement in protecting consumers.

As one example, Dr. Wright wrote that one government consumer protection agency's agenda was ''aggressive and dangerous'' and that its ''existence is likely to do more harm than good for consumers.''

He has also sharply criticized the FTC, arguing it has been hampered by ''a history and pattern of appointments evidencing a systematic failure to meet . . . expectations.''

Many consumer groups are also concerned about his confirmation to the FTC, noting that his antiregulation philosophy is far outside of the mainstream and runs counter to the mission of the FTC as an enforcement agency designed to protect consumers.

Dr. Wright was selected by Republican congressional leadership to fill a Republican position on the FTC, as required by statute. For this reason I did not block his confirmation, but I will be closely monitoring his activities at the FTC.

## TRIBUTE TO DR. WAYNE SOUTHWICK

Mr. BARRASSO. Mr. President, today I wish to pay tribute to an outstanding orthopaedic surgeon, mentor and friend. Dr. Wayne Southwick has had a remarkable career. The author of over 100 peer reviewed journal articles, he has also received numerous awards for his work as a professor and chief of orthopaedic surgery at Yale University's School of Medicine. I had the privilege of learning from Dr. Southwick during my time at Yale. Dr. Southwick's unending dedication to educating the next generation of physicians has had a lasting impact on the medical profession.

Dr. Wayne Orin Southwick was born on February 6, 1923 in Lincoln, NE. He grew up in Friend, the same small town where his grandfather settled, just before Nebraska was admitted to the Union. Dr. Southwick attended high school in Friend, before entering the University of Nebraska, where he earned a B.A. in 1945 and an M.D. in 1947. During his time at the University of Nebraska, Dr. Southwick married the love of his life, Jessie Ann Seacrest.

While the vast majority of my remarks will focus on Dr. Southwick's professional accomplishments, I know that what he is most proud of is his loving family. Together, Wayne and Ann raised three children, Fred, Steven and Marcia. Steven has followed in his father's footsteps as a physician and professor of psychiatry at Yale. Wayne would be the first person to admit that all of his accomplishments would not have been possible without the support of his wife and children.

After graduation from medical school, the Southwick family moved to Boston, where Dr. Southwick completed an internship at Boston City Hospital and also served on the Harvard Surgical Service. He then began a residency in orthopaedic surgery at Johns Hopkins Hospital in Baltimore, MD. This experience was interrupted when Dr. Southwick joined the Navy to serve his country during the Korean War. He was assigned to both the hospital ship Repose and Bethesda Naval Hospital. His experience in the Navy cemented Dr. Southwick's commitment to public service and helping the less fortunate. Over the course of his career, he made repeated trips abroad to provide health care to people in underserved locations.

Dr. Southwick returned to Johns Hopkins after leaving the Navy and completed his residency in 1955. He worked as an assistant professor at Johns Hopkins before he was appointed as the first full-time chief of orthopaedic surgery at Yale in 1958. It is from this position that Dr. Southwick made a truly indelible mark.

Known as an innovative and creative surgeon, Dr. Southwick made tremendous contributions to the practice of medicine. In particular, he received recognition for his surgical management of slipped femoral capital epiphysis and approaches to the cervical spine. His name can be found in the index of most modern day surgery textbooks. However, what he probably will be remembered for most is his leadership of Yale's orthopaedic surgery residency program.

Over his tenure, nearly 100 residents completed orthopaedic surgery training at Yale. The program created by Dr. Southwick became a model for the rest of the Nation. Specifically, Dr. Southwick ensured that his program welcomed students from all backgrounds. For example, he accepted the first African American surgical resident, Dr. Augustus White, who went on to serve as the first African American department chief at Harvard's teaching hospitals. Dr. Southwick also recruited the first female African American orthopaedic surgery resident, Dr. Claudia Thomas, in 1975.

The American Association of Orthopaedic Surgeons recognized Dr. Southwick's commitment to diversity by awarding him AAOS's first Diversity Award in 2003. Dr. Terry Light, a former orthopaedic resident at Yale and president of the Academic Orthopaedic Society, described Dr. Southwick in this way, ''Dr. Southwick never saw himself as a champion of civil rights nor as one who was trying to do good. He simply and honestly did what he felt was fair.'' Dr. Southwick simply noted, ''I didn't take the approach that I was going to recruit a diverse group, rather I looked to gather an interesting, qualified group that would work well together. What I found was a highly capable group of people with diverse backgrounds.''

Dr. Southwick remained as chief of orthopaedic surgery at Yale from 1958 until 1979. He left the faculty in 1993 and was appointed professor emeritus. Retirement allowed Dr. Southwick to concentrate on another passion of his life, sculpting. Some may see medicine and sculpture as unrelated endeavors, but Dr. Southwick understands that they have much in common. His thorough understanding of human anatomy allowed Dr. Southwick to create numerous works of art, many of which can be found on Yale's campus.

Dr. Southwick will be celebrating his 90th birthday with many of the surgeons whom he has trained. I could not let this event pass without recognizing his many accomplishments and impact on my own life. Over the years I have been lucky to call Dr. Southwick my mentor, colleague and friend. I know the entire Senate joins with me in commending Dr. Southwick on his remarkable career and wishing him a very happy birthday.

## ADDITIONAL STATEMENTS

### TRIBUTE TO MAJOR MATT C. HASSON

• Mr. AKAKA. Mr. President, on the occasion to mark his completion of his service as an Air Force Fellow here in the United States Senate and subsequent transfer to the Pentagon, I wish to recognize Maj. Matt C. Hasson for his outstanding service to our country. In his 2012 assignment as an Air Force Fellow, he served as a member of my staff.

Major Hasson was born in Camden, NJ. He graduated from Greenway High School in Phoenix, AZ, in 1990. He holds a bachelor of arts degree in politics from Arizona State University and a master's degree in mass communications from San Diego State University. He is also a graduate of Air Command and Staff College, Squadron Officers School, and the Air Force Legislative Fellows program. Major Hasson has vast experience in the Middle East and Asia-Pacific region as well as a tour in Operation IRAQI FREEDOM.

In 1992, Major Hasson enlisted in the Air Force and completed basic training at Lackland AFB, TX. During his 6–year enlisted tour, he served as a firefighter at March AFB, CA and Charleston AFB, SC. Following completion of the Air Force ROTC program at San Diego State University, Major Hasson received his commission in 2000. From there, Major Hasson was assigned as the deputy chief for public affairs at Whiteman AFB, MO. Following his outstanding service at Whiteman AFB, he was promoted to chief of public affairs and reassigned to Fairchild AFB, WA. From there, the Air Force decided to send him to San Diego State University for an advanced degree.

After attaining his graduate degree, Major Hasson received an assignment as chief of executive outreach at U.S. Central Command, MacDill AFB, FL. Major Hasson was there at a crucial juncture for the leaders at CENTCOM and did an outstanding job. He also served on several overseas deployments.

Following his assignment at CENTCOM, Major Hasson was sent to U.S. Pacific Command, in my home state of Hawaii. He was named the chief of new media for the command. Major Hasson thrived in his job as well as a member of the greater community in Hawaii. I was thrilled when I found out that he was assigned to my staff here in Washington, DC.

In 2012, Major Hasson was competitively selected to serve as an Air Force legislative fellow, and served in my Washington, DC office. He worked primarily on defense and veterans issues and made outstanding contributions in helping with my work on the Senate Veterans Affairs Committee as well as the Senate Armed Services Committee. His knowledge and work ethic were invaluable for me and my staff. While he primarily worked national security and veterans issues, Major Hasson also volunteered to do work in other areas including banking and health.

Matt has proven himself as an outstanding officer and leader. My office was better off for his efforts and I was happy that he was assigned to my office. Mahalo nui loa for his service. I wish him continued success in his career and a hui hou.•

## MESSAGES FROM THE HOUSE

At 12:16 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 and joint resolution without amendment:

S. 2318. An act 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.

S. 3331. An act to provide for universal intercountry adoption accreditation standards, And for other purposes.

S. 3472. An act to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements of such Act.

S.J. Res. 44. Joint resolution granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6726. An act 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 message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 145. Concurrent resolution calling for universal condemnation of the North Korean missile launch of December 12, 2012.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 1464) to develop a strategy for assisting stateless children from North Korea, and for other purposes.

ENROLLED BILL SIGNED

At 1:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 8. An act entitled the ''American Taxpayer Relief Act of 2012''.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

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At 2:21 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate 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 message further announced that the House agrees to the amendment of the Senate 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 message also announced that the House agrees to the amendment of the Senate 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 message further announced that the House agrees to the amendment of the Senate 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 message also announced that the House agrees to the amendment of the Senate 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 message further announced that the House agrees to the amendment of the Senate 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 message also announced that the House agrees to the amendments of the Senate 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.

At 3:21 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 6586) to extend the application of certain space launch liability provisions through 2014.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1464. 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.

H.R. 4365. An act to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies.

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.

H.R. 6364. An act 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.

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 enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

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At 3:40 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, with an amendment and an amendment to the title, in which it requests the concurrence of the Senate:

S. 3250. An act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, and for other purposes.

## MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 6726. An act 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 Homeland Security and Governmental Affairs.

## MEASURES DISCHARGED

The following measure was discharged from the Committee on Health, Education, Labor, and Pensions and referred as indicated:

H.R. 6655. An act to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect; to the Committee on Finance.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 692, a bill to improve hurricane preparedness by establishing the National Hurricane Research Initiative, and for other purposes (Rept. No. 112–266).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 3716. A bill to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines; considered and passed.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WARNER (for himself, Mr. WEBB, Mr. MCCAIN, and Mr. WICKER):

S. Res. 630. A resolution congratulating the Navy and the current and former officers and crew of the U.S.S. Enterprise (CVN 65) on completion of the 26th and final deployment of the vessel; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 2215

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2215, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 630—CONGRATULATING THE NAVY AND THE CURRENT AND FORMER OFFICERS AND CREW OF THE ''U.S.S. ENTERPRISE'' (CVN 65) ON COMPLETION OF THE 26TH AND FINAL DEPLOYMENT OF THE VESSEL

Mr. WARNER (for himself, Mr. WEBB, Mr. MCCAIN, and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. RES. 630

Whereas, on November 4, 2012, the U.S.S. Enterprise returned to her homeport of Norfolk, Virginia, after completing the 26th and final deployment of the vessel;

Whereas the U.S.S. Enterprise, the first nuclear powered aircraft carrier to serve the United States, was inactivated on December 1, 2012, after more than 51 years in active service to the Navy and the Nation;

Whereas the U.S.S. Enterprise is the 8th vessel to bear that name and justly and rightfully maintained the honor and tradition of those vessels that previously bore the name;

Whereas the U.S.S. Enterprise participated in the embargo of the island of Cuba ordered by President John Kennedy in the fall of 1962, helping to prevent an escalation of that crisis;

Whereas the U.S.S. Enterprise conducted multiple deployments in support of combat operations during the Vietnam War;

Whereas the U.S.S. Enterprise, upon receiving the news of the September 11, 2001, attacks on the United States while returning home from a six-month deployment, immediately reversed course and was deployed in the Arabian Sea;

Whereas the U.S.S. Enterprise launched hundreds of air strikes into Afghanistan in support of Operation Enduring Freedom throughout October 2001 to destroy Taliban and al Qaeda targets;

Whereas the U.S.S. Enterprise deployed six times over the last 11 years to conduct combat operations in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

Whereas the U.S.S. Enterprise and the 10 Nimitz-class aircraft carriers of the Navy have proven the wisdom and value of nuclear powered aircraft carriers, which have played crucial roles across the range of military operations, from humanitarian assistance to combat operations, including operations in Iraq and Afghanistan since the beginnings of hostilities, providing, from the sea, unparalleled precision strike, close air support, and surveillance in support of ground combat operations: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Navy and the many crews of the U.S.S. Enterprise (CVN 65) on having provided the United States an incalculable service in international relations and engagement and in the prevention and winning of armed conflicts over the 51-year period of the service of the U.S.S. Enterprise;

(2) honors the service and memory of the 117 Sailors who made the ultimate sacrifice for their country while serving onboard U.S.S. Enterprise, including the 30 that were killed in action during the Vietnam War;

(3) honors the service of the 22 U.S.S. Enterprise Sailors who were held as Prisoners of War during the Vietnam War, the 3 who died in captivity, and the 3 that are still listed as missing-in-action; and

(4) congratulates the nearly 100,000 current and former Sailors and thousands of current and former Marines who have served on the U.S.S. Enterprise and thanks them for the selfless sacrifice they made in service to the United States.

## NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2012 fourth quarter Mass Mailing report is Friday, January 25, 2013. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116.

The Senate Office of Public Records will be open from 9:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Senate Office of Public Records at (202) 224–0322.

## LETTER OF RESIGNATION

The PRESIDING OFFICER. The Chair lays before the Senate the letter of resignation of Senator JIM DEMINT of South Carolina, which shall be printed in the RECORD.

The letter follows:

U.S. SENATE,
*Washington, DC, December 20, 2012.*

Hon. NIKKI HALEY,
*Governor, State of South Carolina.*

DEAR MADAM GOVERNOR: I hereby give notice of my retirement from the Office of United States Senator from the State of South Carolina. Therefore, I tender my resignation effective at 11:59 p.m., January 1, 2013.

Respectfully Submitted,

JIM DEMINT,
*U.S. Senate.*

## EXECUTIVE SESSION

### NOMINATION OF ERICA LYNN GROSHEN TO BE COMMISSIONER OF LABOR STATISTICS, DEPARTMENT OF LABOR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the HELP Committee be discharged from further consideration of the following nomination: PN 1404; that the Senate proceed to vote without intervening action or debate on the nomination; 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; 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 question is, Will the Senate advise and consent to the nomination of Erica Lynn Groshen, of New York, to be Commissioner of Labor Statistics, Department of Labor?

The nomination was confirmed.

## NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Foreign Relations Committee be discharged from further consideration of the following nominations: PN 1928, and PN 1951; that the nominations be confirmed; the motions to reconsider be considered made and laid upon the table; that no further motions be 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. Is there objection? Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

FOREIGN SERVICE

Deborah Ann McCarthy, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lithuania.

Robert F. Godec, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kenya.

## AUTHORIZING THE ISSUANCE OF RIGHT-OF-WAY PERMITS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 4606.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 4606) to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be made and laid on the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The bill (H.R. 4606) was ordered to a third reading, was read the third time, and passed.

## PROTECT OUR KIDS ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent that the HELP committee be discharged from further consideration of H.R. 6655 and that it be referred to the Committee on Finance. I further ask that the Finance Committee be discharged from further consideration of H.R. 6655 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 6655) to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

There being no objection, the Senate proceeded to consider the bill.

Mr. BAUCUS. Mr. President, Nelson Mandela, former president of South Africa once said ''Safety and security don't just happen; they are the result

of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear.''

Today, I am proud to join with Senators KERRY, COLLINS, CARDIN, SHAHEEN, SNOWE, and CONRAD to introduce the Protect Our Kids Act. This legislation would establish a task force dedicated to reducing child deaths from child abuse and neglect. Child welfare professionals, law enforcement officers, and other child abuse prevention experts.

Since 2002, more than 15,000 children have died due to abuse and neglect. This number is based on state-reported Child Protection Services data. But advocates predict the true number is far greater.

Unfortunately, we do not have clear facts about the number of child abuse and neglect fatalities.

Some children may have died from child abuse and neglect, even if they were not involved with the Child Protective Services system or their deaths were not reported as due to abuse or neglect. We know little about these deaths since there is no standard means of collecting this data across States. And not all State child protection agencies seek information considering child abuse or neglect fatalities from other agencies or offices like vital statistics, medical examiners, or law enforcement.

We need to learn more about the deaths of these children, so that we can prevent the senseless murders of other children. Our children deserve to be protected from fear and terror especially when the threat to their safety and well-being comes from those that should cherish them the most.

According to Child Protection Services data, in Montana we reported zero fatalities from child abuse and neglect last year. That is fantastic news. But there could be abuse or deaths not reported or not collected by Child Protection Services. So I am urging my State to lift the standard even higher. Child Protection Services needs to coordinate with other agencies for more data so that we can be sure that all Montana kids are safe.

Our Nation must embrace its responsibility to protect our children. And we need to provide our children with mental health challenges the support they need to not only survive but to thrive as members of our society.

We need to make sure that kids have access to physical and mental health services, so they can grow up into happy, productive adults. We need to help kids with mental illnesses by reducing the stigma surrounding mental health services and ensuring that kids know there is a support network backing them up. We have to use every resource at our disposal to prevent abuse and ensure mental health support. We should look at programs like home visiting, which currently provides professional assistance, right at home, for over 50,000 families across our nation, and see how they can be improved to do an even better job supporting vulnerable families.

This legislation is a step in the right direction to protect kids. I commend my colleagues Senators KERRY and COLLINS for their years of work on this issue. Our colleagues in the House of Representatives have already acted on this legislation. Let us now join together and create a life free of violence and fear for our most vulnerable citizens. Let us pass the Protect Our Kids Act.

Ms. COLLINS. Mr. President, I rise today to praise the passage of the ''Protect Our Kids Act,'' which will create a commission with the goal of eliminating child abuse fatalities. The effort to address child abuse transcends ideological and partisan lines. This is not a Democratic or Republican issue—this is an American issue—one that we can't wish away, but that we must face head on and work to eradicate. Senator KERRY and I originally introduced the Protect Our Kids Act last year, and I am pleased that we have moved forward with this critical, updated legislation. Senator KERRY and I also introduced a resolution recognizing April as Child Abuse Prevention Month. The passage of the Protect Our Kids Act further represents our commitment to put an end to child abuse in the United States.

Child abuse fatalities are preventable; yet, approximately 1,770 children are reported as dying from child abuse each year, and many experts believe the actual number may be significantly higher. This legislation would establish a commission to develop a national strategy for reducing child abuse fatalities. The commission will include a variety of professionals with expertise in areas such as child welfare advocacy, child development, pediatrics, medical examining, social work, law enforcement and education.

Through new research, hearings and the use and coordination of existing information, the commission will provide a report with its recommendations for developing a comprehensive national strategy for reducing child abuse fatalities. Increased understanding of maltreatment deaths can lead to improvement in agency systems and practices to protect children and prevent child abuse and neglect. Therefore, it is imperative that we take action to capitalize on the commission's findings. This legislation requires the commission's report to be submitted to relevant Federal agencies and Congressional committees. All agencies with recommendations that fall under their jurisdiction must then submit their reaction and plans to address such recommendations to Congress within 6 months.

Approximately 6 million kids are reported to be abused or neglected each year. We know this can be prevented. This legislation is an important step that Congress and our Nation should take in order to better protect our kids.

Mr. REID. I know of no further debate on this matter.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. If there is no further debate, the question is, Shall the bill pass.

The bill (H.R. 6655) was passed.

Mr. REID. I ask unanimous consent that the motion to reconsider be considered made and laid on the table.

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

## DEFINING TAXABLE VACCINES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3716.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3716) to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 3716) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3716

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

**SECTION 1. ADDITION OF VACCINES AGAINST SEASONAL INFLUENZA TO LIST OF TAXABLE VACCINES.**

(a) IN GENERAL.—Subparagraph (N) of section 4132(a)(1) of the Internal Revenue Code of 1986 is amended by inserting ''or any other vaccine against seasonal influenza'' before the period.

(b) EFFECTIVE DATE.—

(1) SALES, ETC.—The amendment made by this section shall apply to sales and uses on or after the later of—

(A) the first day of the first month which begins more than 4 weeks after the date of the enactment of this Act, or

(B) the date on which the Secretary of Health and Human Services lists any vaccine against seasonal influenza (other than any vaccine against seasonal influenza listed by the Secretary prior to the date of the enactment of this Act) for purposes of compensation for any vaccine-related injury or death through the Vaccine Injury Compensation Trust Fund.

(2) DELIVERIES.—For purposes of paragraph (1) and section 4131 of the Internal Revenue Code of 1986, in the case of sales on or before the effective date described in such paragraph for which delivery is made after such date, the delivery date shall be considered the sale date.

## CONGRATULATING THE NAVY ON ''U.S.S. ENTERPRISE'' FINAL DEPLOYMENT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 630.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 630) congratulating the Navy and the current and former officers and crew of the U.S.S. Enterprise (CVN 65) on completion of the 26th and final deployment of the vessel.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

The resolution (S. Res. 630) was agreed to.

The preamble was agreed to.

The preamble, with its preamble, reads as follows:

S. RES. 630

Whereas, on November 4, 2012, the U.S.S. Enterprise returned to her homeport of Norfolk, Virginia, after completing the 26th and final deployment of the vessel;

Whereas the U.S.S. Enterprise, the first nuclear powered aircraft carrier to serve the United States, was inactivated on December 1, 2012, after more than 51 years in active service to the Navy and the Nation;

Whereas the U.S.S. Enterprise is the 8th vessel to bear that name and justly and rightfully maintained the honor and tradition of those vessels that previously bore the name;

Whereas the U.S.S. Enterprise participated in the embargo of the island of Cuba ordered by President John Kennedy in the fall of 1962, helping to prevent an escalation of that crisis;

Whereas the U.S.S. Enterprise conducted multiple deployments in support of combat operations during the Vietnam War;

Whereas the U.S.S. Enterprise, upon receiving the news of the September 11, 2001, attacks on the United States while returning home from a six-month deployment, immediately reversed course and was deployed in the Arabian Sea;

Whereas the U.S.S. Enterprise launched hundreds of air strikes into Afghanistan in support of Operation Enduring Freedom throughout October 2001 to destroy Taliban and al Qaeda targets;

Whereas the U.S.S. Enterprise deployed six times over the last 11 years to conduct combat operations in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

Whereas the U.S.S. Enterprise and the 10 Nimitz-class aircraft carriers of the Navy have proven the wisdom and value of nuclear powered aircraft carriers, which have played crucial roles across the range of military operations, from humanitarian assistance to combat operations, including operations in Iraq and Afghanistan since the beginnings of hostilities, providing, from the sea, unparalleled precision strike, close air support, and surveillance in support of ground combat operations: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Navy and the many crews of the U.S.S. Enterprise (CVN 65) on having provided the United States an incalculable service in international relations and engagement and in the prevention and winning of armed conflicts over the 51-year period of the service of the U.S.S. Enterprise;

(2) honors the service and memory of the 117 Sailors who made the ultimate sacrifice for their country while serving onboard U.S.S. Enterprise, including the 30 that were killed in action during the Vietnam War;

(3) honors the service of the 22 U.S.S. Enterprise Sailors who were held as Prisoners of War during the Vietnam War, the 3 who died in captivity, and the 3 that are still listed as missing-in-action; and

(4) congratulates the nearly 100,000 current and former Sailors and thousands of current and former Marines who have served on the U.S.S. Enterprise and thanks them for the selfless sacrifice they made in service to the United States.

## ORDERS FOR THURSDAY, JANUARY 3, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today and when it convenes tomorrow, January 3, 2012, at 12 noon, pursuant to the Constitution, following the prayer and pledge and following the presentation of the certificates of election and the swearing-in of elected Members, and the required live quorum, the morning hour be expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day.

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

## PROGRAM

Mr. REID. Mr. President, there will be a live quorum at noon, which will be followed by the swearing in of new and recently reelected Senators.

## ADJOURNMENT UNTIL TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:07 p.m., adjourned until Thursday, January 3, 2013.

## DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nomination by unanimous consent.

*Erica Lynn Groshen, of New York, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations by unanimous consent.

Deborah Ann McCarthy, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lithuania.

Nominee: Deborah Ann McCarthy.

Post: Lithuania.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: N/A.
3. Children and spouses: Natalia Alexander: none.
4. Parents: Natalia W. McCarthy, (Mother)—none; George E. McCarthy—deceased.
5. Grandparents: deceased.
6. Brothers and spouses: George E. McCarthy—None; Teresa McCarthy—none.
7. Sisters and spouses: Linda McCarthy Milone—none; Paul Milone—none; Diana McCarthy Bernard—none.

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Robert F. Godec, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kenya.

Nominee: Robert F. Godec.

Post: Nairobi.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children and spouses: N/A.
4. Parents: Nancy Dietrich—none; Ivan Dietrich—none for Federal campaigns; Warren D. Magnusson—deceased; Flora Magnusson—deceased.
5. Grandparents: Ovid Meyer—deceased; Lyda Meyer—deceased; Frank Godec—deceased; Ophelia Mildred Godec—deceased.
6. Brothers and spouses: Mark Godec—none; James Godec—$1000, 4/13/12, Romney Victory Inc.; Elyse Godec—none.
7. Sisters and spouses: N/A.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

## CONFIRMATIONS

Executive nominations confirmed by the Senate January 2, 2013:

DEPARTMENT OF LABOR

ERICA LYNN GROSHEN, OF NEW YORK, TO BE COMMISSIONER OF LABOR STATISTICS, DEPARTMENT OF LABOR, FOR A TERM OF FOUR YEARS.

DEPARTMENT OF STATE

DEBORAH ANN MCCARTHY, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LITHUANIA.

ROBERT F. GODEC, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA.

# EXTENSIONS OF REMARKS

## THE DEVASTATING CRISIS IN EASTERN CONGO

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. SMITH of New Jersey. Mr. Speaker, last month the Subcommittee on Africa, Global Health, and Human Rights held a hearing which examined U.S. policy regarding the conflict in the Democratic Republic of the Congo (DRC). This conflict was exacerbated by Rwanda's interventions in neighboring eastern Congo, as documented by the release of three United Nations reports last year. These reports confirmed Rwanda's support of militia who have ravaged and continue to plague this region. The State Department was unavailable to testify at our September 19th hearing on this issue, and the subcommittee promised at that time to follow–up when State was available to testify.

In the aftermath of the 1994 genocide, successive U.S. administrations have turned a blind eye to reports of Rwandan plundering of resources from the DRC and support for rebels who have devastated eastern Congo and its people. It seems that guilt over the Clinton Administration's failure responding effectively to the genocide in Rwanda has led subsequent U.S. administrations to be reluctant to criticize the Government of Rwanda.

With these UN reports on that government's behavior in the DRC, we must overcome our regret over what happened 18 years ago. As an NGO letter to President Obama points out, the United States is now out of step with our European allies, who have cut aid to Rwanda because of their interference in the DRC, as recommended by the UN Group of Experts in their recent reports. The Group of Experts also recommends imposing sanctions on responsible Rwandan officials, such as Defense Minister General James Kabarebe.

Additionally, the Government of the DRC has failed to ensure that its military adequately provides security for its citizens. In fact, the National Forces of the Democratic Republic of the Congo (FARDC) also is alleged to be a perpetrator of human rights violations in the East. Security sector reform is critical in the DRC, and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) has not been able to completely train military containing elements that too often terrorize their own people instead of protecting them.

At this point, it is vital to understand what the administration intends to do about the UN reports on Rwanda's violation of the arms embargo on non-state groups in eastern DRC and how this impacts U.S. relations with Rwanda. Furthermore, we must know how the administration intends to deal with the DRC government in light of its deficiencies in security sector reform. The hearing also took a comprehensive look at who is responsible for the insecurity in eastern Congo beyond the two government and the militias.

Most attention is being paid to the M23 rebel movement in eastern Congo, and justifiably so in light of their recent seizure of territory and overall destructive impact on the people of eastern Congo. However, there are reportedly as many as two dozen armed groups terrorizing Congolese in this region. According to a November 2012 report from Oxfam, Commodities of War, nine of these militias are believed to be most prominent. They range from those with a focus on Rwanda or Uganda, those that were formed in response to the flight of perpetrators of the 1994 genocide in Rwanda to the DRC or those singularly focused on the DRC itself. Whatever the reason for their founding, these militias have terrorized the people of eastern Congo and the DRC as a whole. We must identify their support base and end the flow of arms and other aid that enables their ongoing reign of terror.

According to the U.N. Office for the Coordination of Humanitarian Affairs (OCHA), insecurity in eastern Congo has displaced approximately 2.4 million people nationwide, especially in the East. Despite longstanding conflict in eastern Congo, OCHA estimates that the majority of displaced persons typically returns to their areas of origin within six to 18 months of their initial displacement and require minimal return assistance. While that may be true, it does not account for the kind of life Congolese will have once they can return to their homes.

Women continue to be targeted for abuse in DRC. A study that recently appeared in the American Journal of Public Health in May 2011 concluded that an average of 48 women and girls are raped every hour in this country. So, as with our February 2nd and September 19th hearings on the DRC this year, more than 100 females in DRC were raped before our hearing last month ended. Their rejection by their families and communities casts a cloud over future efforts to recreate communities destroyed by militias in the DRC. This is an issue that must be addressed by Congolese themselves—sooner rather than later.

Since our hearing in September, M23 made significant gains in territorial control, occupying Goma for 10 days while moving southward, potentially toward the South Kivu town of Bukavu. However, international pressure played a major role in the group ending its advance southward and withdrawing from Goma town by early December. DRC President Joseph Kabila's government and the M23 rebels reportedly have agreed to peace talks in Kampala sponsored by the Government of Uganda. There have been peace talks and peace accords in the DRC before, and they didn't hold. Will this effort achieve lasting peace?

The DRC is home to abundant mineral wealth, including 70 percent of the world's coltan (used to make vital components of cell phones and other electronic equipment), 30 percent of the world's diamond reserves and vast deposits of cobalt, copper and bauxite. Unfortunately, these natural resources have attracted international looters and fuelled civil war. Now oil has been discovered in eastern DRC. Can a way be found to prevent the DRC's blessings from being turned into curses?

The tragic genocide in Rwanda in 1994 has had lasting repercussions in the DRC, but since the 1880s, resentment over the perceived influx of people considered foreigners in eastern DRC has contributed to conflict in this region, including two regional wars. Various leaders in the region have used this antipathy for political purposes, pitting their supporters against their perceived opponents. Can the inter-ethnic problems in the DRC and its neighbors be finally resolved so that a lasting peace among all the people in the DRC can be achieved?

Our witnesses last month were well-positioned to address questions regarding a path toward sustainable peace in the DRC and the obstacles that lie in that path. It is time now to find a way to bring to an end the suffering of the people of the DRC.

## IN RECOGNITION OF THE 9TH ANNIVERSARY OF THE PI LAMBDA LAMBDA CHAPTER OF OMEGA PSI PHI, INC.

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the 9th Anniversary of the Pi Lambda Lambda Chapter of the Omega Psi Phi Fraternity, Inc. The chapter includes the communities of Prince William County, the City of Manassas, the City of Manassas Park, and Stafford County.

Coinciding with the local chapter's 9th Anniversary is the national organization's 101st Anniversary. The Omega Psi Phi Fraternity was founded on Friday evening, November 17, 1911 by three Howard University undergraduate students, Edgar A. Love, Oscar J. Cooper, and Frank Coleman, and their faculty adviser, Professor Ernest E. Just. Together they laid the foundation of an organization based on the core principles of manhood, scholarship, perseverance and uplift. For ninety–eight years, the membership has upheld a strong tradition of friendship and civic engagement.

At this year's Annual Achievement Week Banquet, the Pi Lambda Lambda Chapter honors the 2012 Achievement Week Award recipients. These awards are given to the men and women who, through their character and actions, preserve Omega Psi Phi's four founding principles. I congratulate the following individuals on being awarded these honors:

The Citizen of the Year Award: Brother Conrado Morgan.

The Colonel Charles Young Military Leadership Award: Brother Lieutenant Colonel Leonard Newman III.

Omega Man of the Year: Brother Charles Mitchell.

Basileus Special Act Awards: Brother Tony Bullock, Brother David Holliday, Brother Robert Reese, Jr., Brother Cozy Bailey, Sr., Brother Leonard Newman III, Brother Adrian Gore, Brother Jimmie Jacobs, Jr., Brother Harvey L. Woodson, Jr., Brother Trevor Hamilton, Brother Bernard Oliphant, Brother Anthony Burgess, Brother Byron Cherry, Sr., Brother Vernon Campbell, Brother Andrew McCall II, Brother Albert Woods, Brother Earl Clark, Brother Erik Noel, Brother Gregory Reid, Brother Lloyd Marshall, Brother Arthur Sobers, Jr., Brother David Ballard, Brother Joseph Boutte, Brother DeSean Davis, Brother Drefus Lane, Sr., Brother Vincent Gordon, Brother William Vaughn, Jr., Brother Joseph Boutte, Brother Derrick Harris, Sr., Brother Conrado Morgan, Brother Rowland Webb, Sr., Brother Stephen Blakely, Brother Crispin Abad, Brother Gregory Reid, Brother Johnny Ledbetter, Brother Matthew Mitchell, Brother Thomas Victor Montgomery III, Brother Jeffrey Allen, Brother Victor Hinton, Brother Robert Melvin, Brother Iven King, Jr., Brother Tyrone Simon, Brother Kenneth West, Brother Simon King, Brother Randall Webb, Brother Lewis Forrest I, Brother Byron Cherry, Sr., Brother Lee Bennett, Jr., Brother Elijah Jackson III.

Mr. Speaker, I ask that my colleagues join me in conveying our appreciation for eight years of civic service by the Pi Lambda Lambda Chapter of the Omega Psi Phi Fraternity, Inc. It is civic groups like the Pi Lambda Lambda Chapter that define the character of our communities and give measure to our generosity of spirit.

## CORRECTING AND IMPROVING THE LEAHY-SMITH AMERICA INVENTS ACT

SPEECH OF

### HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, December 30, 2012*

Mr. COBLE. Mr. Speaker, the Leahy-Smith America Invents Act, or ''AIA,'' which was signed into law on September 16, 2011, is the most substantial reform of U.S. patent law since the 1836 Patent Act. The AIA re-establishes the United States patent system as the global standard. The bill that we discuss today, H.R. 6621, makes necessary technical corrections to the AIA to ensure that the bill realizes its full potential to promote innovation and create jobs.

The AIA represented the culmination of nearly a decade of work by Members, key staff, and officials from both the Bush and Obama Administrations. The bill helps to bring our patent system into the 21st century and sets our nation's innovation infrastructure on the right path for decades to come.

At the center of our successful efforts to enact the AIA and this technical corrections measure over the last decade has been Blaine Merritt, the Chief Counsel of the Committee on the Judiciary's Subcommittee on Intellectual Property, Competition and the Internet.

Blaine has been a constant and tireless public servant, who has served the American people with quiet distinction and professionalism for nearly three decades. On the occasion of his retirement from the U.S. House of Representatives, I want to note a few of his many contributions to our work and to the betterment of the American people.

A native of Greensboro, North Carolina, Blaine's congressional career began in 1985 in our office where he began his public service as a Legislative Assistant. In 1988, he was promoted to Legislative Director, a position he served in until he was called to serve on the professional staff of the Committee on the Judiciary in 1997.

Once on the Committee, Blaine was appointed Chief Counsel to the subcommittee with oversight over our intellectual property laws and courts related issues in 2000. In that capacity, Blaine served three successive Republican Chairmen—Representatives Henry Hyde, JIM SENSENBRENNER and LAMAR SMITH.

During his service on the Judiciary Committee, Blaine established himself and became recognized as one of our nation's foremost authorities on the law of patents, copyrights and trademarks as well as an expert on all matters that relate to the Federal judiciary and congressional procedure.

Blaine's contributions to landmark legislation are innumerable. Counted among the bills he helped to steer to enactment are the American Inventor's Protection Act (AIPA), the Digital Millennium Copyright Act (DMCA) and the aforementioned Leahy-Smith AIA of 2011.

Mr. Speaker, I've been blessed to represent the good citizens of the Sixth District of North Carolina, from where Blaine hails, since 1985. Throughout my tenure, I and countless other Members of the ''People's House'' have benefitted from his sound counsel, seasoned judgment and quiet leadership.

As Blaine embarks upon the next phase of his career, I hope he takes a little time to relax and watch his beloved ''Blue Devils'' basketball team that is undefeated and ranked number one in the Nation. I thank my friend for his invaluable service and wish him ''Fair Winds and Following Seas'' always.

## RECOGNIZING LYLE W. MINTER AND HIS 36 YEARS OF FEDERAL SERVICE

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize and pay tribute to Lyle W. Minter, of Fairfax, Virginia, on the occasion of his retirement after 36 years of Federal service. Mr. Minter's professional achievements are numerous, and I know he would be the first to acknowledge that none of them would have been possible without the support of his wife, Nancy.

Lyle graduated in 1975 from the University of Virginia with a B.A. in History. While at the University of Virginia, Lyle was elected to Phi Beta Kappa. He received his Master of Library Science in 1976 from the University of Maryland. While at the University of Maryland, Lyle was elected to Beta Phi Mu.

Lyle began his distinguished Federal career as a civilian employee with the Department of the Army. He worked as the librarian at two Army posts in Virginia before being reassigned to the Pentagon Library as a reference librarian. He later was selected as head of the Reference Section and managed research support, general reference, and online database searching for the Pentagon Library's 50,000 patrons.

Lyle came to the Library of Congress in 1991 as Head of the Government Publications and Periodicals Section in the Serial and Government Publications Division. In that position he managed the automation of the serial binding preparation process and was instrumental in implementing a number of other enhancements and services, which enabled increased access to the Library of Congress collections for Members of Congress and the research community who utilize that institution and its vast collections. Lyle then was reassigned as Head of the Newspaper and Current Periodical Division, where he managed the Library's busiest public service point and implemented such innovations as virtual reference and online collection guides. Lyle came to the Congressional Research Service in 2005 as a Supervisory Information Research Specialist in the Foreign Affairs, Defense, and Trade Division where he manages a team of employees who respond to requests from the United States Congress. He has remained in that position until the time of his retirement.

Throughout his career, Lyle has been actively engaged in the professional librarian community as a member of the Special Libraries Association (SLA), and he has received several awards for his service. He was elected a Fellow of SLA in 2004 and received the Gale Cengage Learning Murray Wortzel Award in recognition of Excellence in Social Science Librarianship in 2011. Lyle particularly enjoys teaching and mentoring information professionals, and his dedication to mentoring librarians and others in the field of librarianship has been a benchmark of his career.

As Lyle begins the next chapter of his life, he intends to spend time with friends and family, teach, travel, and continue volunteering in his community and in his profession. Lyle Minter has excelled throughout his distinguished Federal career, and I am honored to pay tribute to this conscientious and dedicated public servant.

Mr. Speaker, I ask my colleagues to join me in thanking Lyle Minter for his many years of dedicated Federal service. I wish Lyle and his wife, Nancy, continued happiness as they enter this next phase of their lives.

## AMERICAN TAXPAYER RELIEF ACT OF 2012

SPEECH OF

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 1, 2013*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, recently the Senate came together on a bipartisan basis to address our looming fiscal crisis. I appreciate the statesmanship of President Obama and Vice President Biden to make every effort to avoid the most harmful effects of the ''fiscal cliff.''

Last night's vote in the House was one of the hardest votes I have cast in my tenure in Congress. The agreement was not a perfect proposal, but it avoided serious damage to our national economy. One of my concerns about the measure is that it did not generate nearly enough revenue. I am afraid that the haste

and the lack of detailed effort will ultimately translate to a series of tax hikes and spending cuts in future years that will negatively impact the middle class and the poor.

I have serious reservations about any attempt to cut benefits in Social Security, Medicare, and Medicaid. I am committed to evaluating the impact of the funding used to pay for the Sustainable Growth Rate (SGR or "doc fix"). I strongly oppose cuts to services for diabetes, end stage renal disease, and other illnesses disproportionately impacting my constituents. As a non-practicing registered nurse, I know how devastating these cuts would be for medical services in underserved communities.

Another worthy program that is very important to my constituents is the Qualifying Individual (QI) program. The program allows Medicaid to pay the Medicare Part B premiums for low-income Medicare beneficiaries with incomes between 120 percent and 135 percent of poverty. Under current law, QI expired December 31, 2012. The agreement extends the QI program until December 31, 2013.

Mr. Speaker, I have five major hospitals in my congressional district that not only serve my constituents, but the entire North Texas population. The measure states that qualifying low-volume hospitals receive add-on payments based on the number of Medicare discharges. To qualify, the hospital must have less than 1,600 Medicare discharges and be 15 miles or greater from the nearest like hospital. This provision extends the payment adjustment until December 31, 2013. The Medicare Dependent Hospital (MDH) program in the bill provides enhanced reimbursement to support rural health infrastructure and to support small rural hospitals for which Medicare patients make up a significant percentage of inpatient days or discharges. This greater dependence on Medicare may make these hospitals more financially vulnerable to prospective payment, and the MDH designation is designed to reduce this risk. This provision extends the MDH program until October 1, 2013.

I am pleased to see that the Senate approved a one-year extension of unemployment insurance benefits, providing necessary support for those looking to return to work as the economy recovers. I am also pleased to learn that deep cuts for many important programs that support the most vulnerable and provide pathways to prosperity for millions of Americans, including Head Start and WIC, were delayed. I would have preferred to see a long term extensions to these critical provisions.

Mr. Speaker, as I mentioned before, I do not agree with many of the details of the compromise, but I cast my vote for the bill for the greater national interest. I will continue to mitigate any negative impact of cuts on communities of color and other vulnerable populations in the ongoing negotiations on sequestration and the debt ceiling.

We must ultimately find a way not to fall into a deep economic crisis, and to further strengthen our middle class. I hope all of my colleagues as well as the Leadership continues to work on these issues and that it ultimately reflect solid bipartisan collaboration for the incoming 113th Congress.

## SHARING A NEWS STORY ON THE PROUD TRADITION OF INCLUSIVENESS FOUND IN RESTON, VA.

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to share with my colleagues a poignant story from a local newspaper about the experiences of a prominent African-American veteran and corporate leader in our community who was an early pioneer in breaking down the barriers of segregation. When Carlos Campbell and his family settled in Northern Virginia in the late 1960s, they found a certain amount of intolerance, but they were pleasantly surprised by the welcome they received in the new town of Reston, which at the time was a rare "open" community in Virginia. This story about Mr. Campbell, as reported by Gregg MacDonald of The Fairfax Times, is just one of the many things that make Reston such a wonderful community, which I am proud to represent.

[From the Fairfax Times]

NAVY PILOT, BOARD DIRECTOR RECALLS LIFE IN RESTON AS AN AFRICAN AMERICAN

(By Gregg MacDonald)

As a young African-American boy growing up in Harlem, Carlos C. Campbell, now 75, lived two streets down from Brooklyn Dodgers baseball player Jackie Robinson and used to wave at Robinson as he left his home on the way to Ebbets Field.

He later befriended jazz and football legends Dizzy Gillespie and Jim Brown, and worked as an actor with Charlton Heston and Robert Wagner and as a musician with jazz drummer Buddy Rich. He has written books, made films, flown planes for the U.S. Navy, worked for former President Ronald Reagan and the Defense Intelligence Agency, for the Department of Housing and Urban Development as a city planner, and was elected to the D100 as one of the most influential directors of corporate boards by the National Association of Corporate Directors.

But when Campbell moved to Northern Virginia in 1968, he said that because of segregation and discrimination, he could not buy a home.

"I looked at 39 different places and it was always the same line," he said. "I'm sorry, sir, we do not practice open occupancy. It was very humiliating to be turned down for a residence for someone who had served his country during the Cuban Missile Crisis and had resolved to die if that's what it took to protect it."

Campbell said that while he was looking, he remembered a place called Reston that he had read about while a Navy aviator. "In 1965 or so, Reston had gotten a lot of ink as an open community, so I eventually remembered hearing about it and decided to check it out."

Chuck Veatch, an early Reston sales employee, remembers that time well.

"Because Reston in the 1960s was an 'open' community within a segregated state that had no fair housing laws, we had a hard time with market resistance in terms of blacks," Veatch said. "We in Reston had no issues at all, but because Realtors did not sell our homes there was some resentment, and the real estate brokerage community used the race card against us, to sell against us, and tell people they didn't want to live in Reston."

Married and with two daughters, Campbell purchased his first Reston home, in Vantage Hill, in October 1968. He soon went to work for the Department of Housing and Urban Development in Washington, D.C.

"It was great to finally be able to find a community in which we were tolerated," he said. "But it was still no piece of cake."

Campbell estimates that at that time, Reston consisted of about 1,500 people, about four percent of whom were African American.

"There was a group of Reston African Americans formed back then who called themselves the Reston Black Focus. I wasn't initially a part of the group, but they would have get-togethers and invite everyone. Afterwards random people would come up to me and say, 'Man, you guys throw great parties' and I would say, 'OK, thanks.' "

According to Campbell, although Reston was an open community, the surrounding areas of Fairfax County still were not quite there yet.

"Leaving Reston, we would be reminded of what it was really like," he said.

"Everywhere I went, people in their cars slowed down and asked me if I was a Washington Redskin, but I guess that was better than them yelling 'nigger' out of the window as they went by, which also would happen."

Campbell said his family also felt the effects of discrimination.

"Beauty parlors would refuse to style my wife's hair, and a swimming pool once closed down, rather than let my little girl get in the water," he said.

Campbell said that even in Reston during that time, African Americans often were under a microscope, and whites were not sure how to interact with them. On several occasions he said he discovered people rifling through his garbage cans, who then ran off when confronted.

"I would also occasionally get a knock on my door and someone would ask me what I did for a living, or ask me if I needed a job," he said. "I also used to jog and would invariably get stopped by police who would often say they were looking for a robbery suspect."

But overall, Campbell said life in Reston was always positive. He later moved to Golf Course Island in 1970, but has remained in Reston for 44 years.

"Reston was always a great place," he said. "As an African American here, I was always tolerated, and as the years went by, Reston transcended that tolerance into acceptance. I felt less like a guinea pig and more of a citizen and a member of this community. Discrimination and intolerance still exist, but it is not as overt as it once was. I am glad Reston existed when it did and I'm content to continue living here and giving back."

## HONORING JENNI RIVERA

### HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Jenni Rivera. On December 9, a plane crash took the, life of the singer and six others on board. Jenni Rivera was known as "La Diva de la Banda," the queen of Banda music. But she was much more than a music superstar; she was "una guerrera," a warrior for her family, and a role model to many. She faced monumental challenges in life, but tackled them with dignity and determination. At the

public celebration of her life this week, her family described her as being ''perfectly imperfect,'' but to the millions of us moved by her music and her life story, she was and will always be ''nuestra Jenni,'' La Diva de la Banda. I ask that my colleagues join me in celebrating this beautiful guerrera, a guerrera of life and of music.

## COMMENDING SENIOR AIRMAN VERONICA COX ON HER EFFORTS FOLLOWING THE 2011 EARTHQUAKE IN JAPAN

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Senior Airman Veronica Cox of Lorton, Virginia, for demonstrating exceptional personal and moral courage during humanitarian assistance after the 9.0 magnitude earthquake that hit northeast Japan on March 11th, 2011.

Airman Cox volunteered for humanitarian assistance duty and was part of the advanced command element in the town of Sanriku-cho as an intelligence analyst. Being able to communicate fluently in Japanese, she was able to greatly assist in integrating the Japanese-U.S. response within the crucial first 24 hours as well as the days that followed. She met with the village elder and clearly communicated necessary medical and survival instructions. She flew with nine search and rescue teams and directly enabled the delivery of 3,000 pounds of food, water and medical supplies

Three days after the earthquake, Airman Cox was able to recognize the Japanese characters asking for help spelled out by rocks on the roof of a senior-care facility. A further investigation led to the discovery of 200 Japanese civilians within the rubble of the building.

For her service during the crisis, Airman Cox and the aircrew received recognition from the Emperor of Japan. She received the Air Force Commendation Medal and was selected as a linguist for the 5th Air Force Vice Command during U.S. and Japanese Ministry of Defense-level meetings. She also received recognition and awards from the Japan Self-Defense forces and civilian organizations.

Mr. Speaker, I ask my colleagues to join me in recognizing Senior Airman Veronica Cox for her tremendous service to our nation and her valiant humanitarian assistance to the people of Japan.

## FINAL REFLECTION

### HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. STEARNS. Mr. Speaker, today I close my 24 years of service in the U.S. House of Representatives—it has been a rare honor to serve the people of north east Florida and I'm humbled by this responsibility. In reflecting on my tenure, I'm very proud of my record of accomplishments.

As a veteran of the United States Air Force, I deeply appreciate the opportunity to serve on the Veterans Affairs Committee and to work on behalf my fellow veterans. Through these efforts, we established new VA outpatient clinics in the district, including a state of the art facility in South Marion County. In addition, we succeeded in building support for the new patient bed center at the Gainesville VA Medical Center. And, after over a decade of work, we saw my language to create a new veterans cemetery in north east Florida signed into law.

Furthermore, two measures I offered in the VA became law: the Veterans Millennium Health Care & Benefits Act improving veterans' access to long-term care; and the VA Health Care Personnel Act to increase pay for VA health care professionals.

Working with members on both sides of the aisle, one of my first achievements was gaining enactment of S. 2740 / H.R. 4237 to amend the Water Resources Development Act of 1986. This measure deauthorized the Cross-Florida Barge Canal, and allowed the State of Florida to preserve this canal corridor as a greenway spanning the state.

Then there is the Telecomunications Act of 1996. Computers, the Internet, and other innovations transformed the national economy, making our laws and regulations outdated and burdensome. As a House conferee on this legislation, I worked with my colleagues in developing a response providing greater competition, less regulation, better service, and lower prices. And once again, Congress should work to remove the current obstacles to greater innovation that will bring more products, services, and jobs.

Most recently, my selection to lead the House Energy and Commerce Committee's Subcommittee on Oversight and Investigations provided the chance to make our government more transparent and responsive. Through our oversight, we discouraged the implementation of overly rigorous rules and regulations that hamper economic growth and job creation.

We also discovered the waste and abuse in the Department of Energy's loan guarantee program. This risky scheme to create so-called green jobs cost taxpayers billions of dollars while yielding a few jobs. This is best exemplified by Solyndra, which received $535 million from the taxpayers only to declare bankruptcy and becoming the target of a criminal investigation by the FBI.

In recognition of our $16 trillion debt, I take great satisfaction in my record on fiscal responsibility. It is a distinct honor to be one of only 53 House and Senate members to receive an ''A'' rating from the National Taxpayers Union. In addition, my record on jobs and the economy earned recognition by the U.S. Chamber of Commerce, Citizens Against Government Waste, and Americans for Tax Reform.

I also owe many thanks—to so many of my colleagues, and especially to the people of Florida's Sixth District. I also thank my staff for their help in serving my constituents, my Chief of Staff Jack Seum and Paul Flusche here in Washington, and Shawna Williams, Sherrie Porter, and Jean Clough (Cluff) in the District.

Again, it has been an honor and an experience of a lifetime to serve in Congress.

## RECOGNIZING THE NORTHERN VIRGINIA BLACK CHAMBER OF COMMERCE 2012 BUSINESS HONOR AWARD RECIPIENTS

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the Northern Virginia Black Chamber of Commerce and to congratulate those members who are being honored for their contributions to the business and local communities.

The Northern Virginia Black Chamber of Commerce (NVBCC) is a vibrant organization dedicated to the growth and development of African-American owned businesses in the City of Alexandria and the counties of Arlington, Fairfax, Loudoun, and Prince William. The Chamber provides leadership, strategic information, technical assistance, networking opportunities, and other support to more than 120 member partners, helping to ensure the growth and success of their businesses. In addition, the NVBCC actively supports area nonprofits in efforts to increase the financial literacy and leadership capability of school-aged children in our area.

Each year, the NVBCC recognizes its members for their extraordinary success and contributions to the Chamber and our community. It is my honor to enter the names of the following 2012 Business Honor Award recipients into the Congressional Record:

Outstanding Emerging Business: Nationwide Insurance—The Brad Ryant Insurance Agency

Business of the Year: Valley Green Landscaping

Outstanding Corporate Partner: Intelligent Office of Alexandria

Outstanding Community Partner: Alexandria-Fairfax County Alumni Chapter of Kappa Alpha Psi, Inc.

Member of the Year: Kim de Peiza, Key Concepts Knowlegebase, LLC

Member of the Year: Isaac Lewis, Morgan Stanley Smith Barney

Outstanding Public Partner: Fairfax County Economic Development Authority

Mr. Speaker, I ask my colleagues to join me in congratulating the 2012 Business Honor Award recipients and in thanking each of them for their efforts to strengthen our local business economy and for their commitment to building a stronger community.

## RECOGNIZING THE 200TH ANNIVERSARY OF THE WAR OF 1812 AND THE BENJAMIN HARRISON SOCIETY

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing the 200th anniversary of the War of 1812 and the Benjamin Harrison Society's work in bringing attention to the little known involvement of the District of Columbia in the war.

In the summer of 1814, British troops invaded our nation's capital. The poorly planned

campaign ended in the wounding of Joshua Barney and the burning of the capital city—most major public buildings were burned, including the United States Capitol and the White House. However, a brave navy commodore, Joshua Barney and flotilla of men, militia and marines, stood in the Rives' Farm of Washington, D.C., with two 18 pound cannons and three 12 pound cannons defending the nation's capital until their ammunition was depleted and the wounding of Commodore Barney. In 2009, the Benjamin Harrison Society's lead historian, Acqunetta Anderson, asked volunteer archaeologists from the Smithsonian Institution to conduct the archaeological excavation of U.S. Reservation 520 to confirm Barney's artillery position during the Battle of Bladensburg on August 24, 1814, using historic descriptions, archaeological prospecting, mapping and excavation. The significance of the site, besides providing insight into an example of mid-19th century architecture, was that the Rives' barns provided a reference point for determining the position of Barney's battery during the battle. Barney's two 18 pound cannons and three 12 pound cannons were described as being within several yards of this location. The excavation of the median in Bladensburg Road by the D.C. Department of Transportation in September 2011 added to the investigation. The original turnpike level could be distinguished approximately 23.6 inches below the present road surface and spring water was observed still running across the road opposite Barney's Spring. Brick fragments, presumably emanating from the second Rives' barn, were also found in the median trench, further strengthening Ms. Anderson's theory that the Battle of Bladensburg occurred both in Maryland and Washington, D.C. in Ward 5 on August 24, 1814.

The Benjamin Harrison Society should be commended for their dedication to the research of the history of Washington, D.C. and the War of 1812, Battle of Bladensburg. Their research revealed that Barney, and his flotilla of men, militia, and marines battled the British in Washington, D.C. during the Battle of Bladensburg on August 24, 1814. The archaeological knowledge gained from this project can assist the National Park Service in cultural resource management, as well as the Benjamin Harrison Society, the Daughters of the American Revolution, Benjamin Harrison Chapter, and the Washington, D.C. War of 1812 Bicentennial Commission with site interpretation of both the Battle of Bladensburg and the Star-Spangled Banner Trail in Washington, D.C. It will help to finalize the Commission's plans for the commemoration of the Battle of Bladensburg and the War of 1812, beginning in 2012.

I ask the House to join me in recognizing the Benjamin Harrison Society and their involvement in research and commemorating the War of 1812.

## RECOGNIZING DR. WYNFRED JOSHUA AS A 2012 DIA TORCH BEARERS AWARD RECIPIENT

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Dr. Wynfred Joshua, one of the 2012 recipients of the Defense Intelligence Agency's Torch Bearers Award. This award is presented to individuals who have made significant and lasting contribution to defense intelligence and whose performance also embodies the agency's core values and principles.

One of the first defense intelligence officers at DIA, Dr. Joshua retired in February of 1998 after 24 years of dedicated service. An expert on the Soviet Union and strategic nuclear capabilities, Dr. Joshua was a guiding force for DIA analytic teams throughout the Cold War era. Dr. Joshua was known throughout the intelligence community as a person of immense honesty, intelligence, and reliability.

Dr. Joshua's leadership and teaching ability also helped conserve our Nation's precious public resources. She developed and implemented a successful program to improve DIA's role in supporting the National Defense University. Her contributions not only enhanced the DIA's status within the Intelligence Community, but also provided the critical intelligence assessments that shaped our national military strategy. Dr. Joshua's dedication to DIA, the Intelligence Community, and the United States is a testament to her integrity, unwavering professionalism, and commitment to excellence.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Wynfred Joshua and thanking her for her 24 years of service and selfless dedication to the defense of our country. Her distinguished service has greatly contributed to the advancement and prestige of our Nation's intelligence capabilities.

## SUPPORT OF THE NATIONAL DEFENSE AUTHORIZATION ACT

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Ms. ESHOO. Mr. Speaker, I rise in support of the National Defense Authorization Act which contains a very special provision, the Recalcitrant Cancer Research Act.

I first introduced this bill in the 110th Congress in honor of my dear friend, Ambassador Richard Sklar, who was a victim of pancreatic cancer, a devastating disease. Pancreatic cancer is essentially a death sentence, with very few surviving. It is only because of the families, friends, neighbors, doctors, and co-workers who have advocated for better research and treatments, that we've made it to the ''finish line'' legislatively after a five-year effort.

Sadly, the outcomes for those with pancreatic cancer have remained relatively unchanged since the passage of the National Cancer Act more than 40 years ago. Only 6 percent of people diagnosed with the disease live longer than 5 years, and 75 percent die within a year of diagnosis. Pancreatic cancer remains one of the most lethal types of cancers, even as survival rates for other cancers have increased.

The Recalcitrant Cancer Research Act, which I introduced with my colleague, Representative LEONARD LANCE, directs the National Cancer Institute to develop a long-term strategic plan for addressing recalcitrant cancers beginning with pancreatic and lung cancers. The plan will bring together the finest minds in our country with the best expertise in this area. The plans will be used by the Agency as a roadmap for navigating the best way forward in research for early detection, new diagnostic tools, treatment therapies, and even cures.

While pancreatic cancer is one of the most devastating of all ''recalcitrant cancers,'' or those with a high mortality rate and few treatments, it is certainly not the only one that needs increased attention. I have worked closely with my colleagues on both sides of the aisle to expand our legislation to include all recalcitrant cancers so that we can make progress in other areas, too.

I am exceedingly proud that this legislation enjoyed the bipartisan cosponsorship of 294 Members of the House and more than half the U.S. Senate with 58 bipartisan cosponsors. Senator SHELDON WHITEHOUSE championed the legislation with his steadfast leadership, and without him, this effort would not have ultimately been successful.

I thank Chairman UPTON and Ranking Member WAXMAN of the Energy and Commerce Committee for their work in moving the bill forward. I'm very proud of the efforts of the pancreatic cancer advocates who had the courage to share their stories with their representatives, educating them about the importance of this legislation.

I look forward to seeing the Recalcitrant Cancer Research Act signed into law as part of the National Defense Authorization Act so we can finally bring a renewed effort to finding cures for all recalcitrant cancers.

## PERSONAL EXPLANATION

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. GEORGE MILLER of California. Mr. Speaker, on January 1, 2013, I was unavoidably detained and missed rollcall No. 655. Had I been present, I would have voted ''nay.'' While I support freezing pay for members of Congress, that was achieved by passage of H.R. 8, and I do not believe that it is appropriate to freeze pay for Federal employees for another year, given the sacrifices that they have already made.

## RECOGNIZING ILENE GILLISPIE AS A RECIPIENT OF THE 2012 CRITICAL LANGUAGE SCHOLARSHIP

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to honor Ilene Gillispie, of the Alexandria

portion of Fairfax County, a 2012 State Department Critical Language Scholarship (CLS) recipient. Ilene was selected for this competitive award based on her academic ability, exemplary citizenship, and her commitment to learning and mastering a foreign language of critical importance.

While studying in Chandigarh, India, Ilene studied at the Punjabi Summer Institute and focused on creating a strong foundation for both her language fluency and her cultural competency. She participated in daily educational activities and built relationships with young leaders from all over the world with a focus on the Punjabi language, one of the thirteen "critical needs" foreign languages determined by the Department of State. The CLS program—a key component of the National Security Language Initiative—provides fully-funded, group-based, language instruction and structured cultural enrichment experiences to U.S. students overseas. The accelerated program of study over 8–10 weeks is approximately equivalent to one full year of language study, and includes extracurricular activities designed to supplement the formal curriculum.

Ilene is a student at the New College of Florida. It is inspiring to see young people who are interested in international educational and developmental experiences such as these. Mr. Speaker, I ask my colleges to join me in recognizing Ilene Gillispie's achievements and wishing her continued success in her academic and professional pursuits.

## PERSONAL EXPLANATION

### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. BURTON of Indiana. Mr. Speaker, I was unavoidably detained and unable to be on the Floor for rollcall vote 659. Had I been present I would have emphatically voted "no."

## RECOGNIZING AMANDA MICHETTI AS A RECIPIENT OF THE 2012 CRITICAL LANGUAGE SCHOLARSHIP

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Amanda Michette, of Springfield, as a 2012 State Department Critical Language Scholarship (CLS) recipient. Amanda was selected for this competitive award based on her academic ability and her commitment to learning and mastering a foreign language of critical importance.

While studying in Amman, Jordan, she was a participant in the Arabic Summer institute and focused on improving both her language fluency and her cultural competency. The CLS program—a key component of the National Security Language Initiative—provides fully-funded, group-based, intensive language instruction and structured cultural enrichment experiences to U.S. students overseas. The accelerated program of study over 8–10 weeks is approximately equivalent to one full year of language study, and includes extracurricular activities designed to supplement the formal curriculum.

Amanda is a student at James Madison University. It is inspiring to see young people who are interested in international education and developmental experiences such as these. Mr. Speaker, I ask my colleges to join me in recognizing Amanda Michette's achievements and wishing her continued success in her academic and professional pursuits.

## PERSONAL EXPLANATION

### HON. TIM GRIFFIN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. GRIFFIN of Arkansas. Mr. Speaker, on Monday, December 17, 2012, I missed two votes because my flight from Little Rock to the Baltimore Washington International Airport (BWI) was cancelled along with a number of others because the airport was closed due to fog. I flew into Reagan National Airport later in the evening.

If I had been present, I would have voted "aye" on rollcall vote No. 627 (H.R. 4606) and "aye" on rollcall vote No. 628 (S. 3193).

## RECOGNIZING BENJAMIN BISSELL AS A RECIPIENT OF THE 2012 CRITICAL LANGUAGE SCHOLARSHIP

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Benjamin Bissell, of Fairfax Station, as a recipient of the 2012 State Department Critical Language Scholarship (CLS) and a participant in the CLS Russian program.

The CLS Program, created in 2006 as a key component of the National Security Language Initiative, has had more than 3,350 participants who have acquired specific skill sets in business and language, as well as cultural perspectives unique to their experiences. The CLS Russian program covers approximately one academic year of university-level Russian study over an eight-week period. Mr. Bissell, a fourth year student at the University of Virginia, studied in Vladimir, Russia, for the entirety of the program.

Mr. Bissell followed his passion for politics in demography and linguistics, specifically Russian, which led him to the program. With his admirable determination to learn more about the international impact of demography, and to enhance his cultural experiences and knowledge, he successfully completed the program and was awarded this outstanding scholarship.

Mr. Speaker, I ask my colleagues to join me in recognizing Benjamin Bissell's achievements and wishing him continued success in his future academic and professional pursuits.

## PERSONAL EXPLANATION

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Ms. ESHOO. Mr. Speaker. I was not present during the rollcall vote No. 623, on December 12, 2012. I would have voted "no."

## RECOGNIZING THE WASHINGTON REGIONAL ALCOHOL PROGRAM ON ITS 30TH ANNIVERSARY

### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 2, 2013*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the Washington Regional Alcohol Program (WRAP) and to congratulate it on the occasion of its 30th anniversary.

Founded in 1982, WRAP is an award winning, public-private coalition formed to fight drunk driving, drugged driving, and underage drinking in the Washington D.C. metropolitan area. Through educational and innovative public programs, WRAP is credited with keeping Washington area alcohol related death rates consistently below the national average. Programs and resources include Youth Outreach, Adult Outreach, and Public Education programs designed to educate students and the general public on the dangers of alcohol and drugs, particularly driving while under the influence. Through the WRAP Holiday SoberRide program, individuals who are impaired can request a free cab ride home. Since SoberRide was launched in 1993, 55,851 free cab rides have been provided, preventing possible accidents and deaths.

In 1982, the year that WRAP was founded, 26,173 people in the United States lost their lives in alcohol-related car accidents; 60% of all traffic fatalities involved drunk driving. Due to the tireless efforts of WRAP, other organizations such as MADD and SADD, local and state police, and enforcement of more stringent anti-drunk driving laws, alcohol-related traffic fatalities decreased to 9,878.

Since 1997, WRAP has sponsored an annual Law Enforcement Awards Ceremony to honor local law enforcement professionals who have gone above and beyond the call of duty in the fight against drunk driving. It is my honor to enter the following names of the 2012 Law Enforcement Award of Excellence recipients into the CONGRESSIONAL RECORD:

Officer Brandon Smith, City of Alexandria Police Department

Officer Avery Carroll, Arlington County Police Department

Police Officer Harold Morris, Fairfax County Police Department

Deputy Alexander Brackle, Loudoun County Sheriff's Office

Trooper John W. Cabrera, Maryland State Police

Officer Roderick Saunders, Metropolitan Police Department

Police Officer John Romack, Montgomery County Department of Police

Corporal Christopher Lord, Prince George's County Police Department

Police Officer Jeremy A. Schenck, Prince William County Police Department

Officer Ronald Pisano, United States Park Police

Senior Trooper Michael S. Middleton, Virginia State Police

Mr. Speaker, I ask that my colleagues join me in congratulating the recipients of the 2012 Law Enforcement Award of Excellence and in recognizing WRAP for its 30 years of public service. I commend the staff of WRAP under the leadership of President Kurt Erickson for their tireless dedication to eradicating underage drinking and drunk driving. Their efforts combined with the support of partner organizations and law enforcement agencies have truly saved lives and are deserving of our highest praise and gratitude.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 3, 2013 may be found in the Daily Digest of today's RECORD.

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S8637–S8668***

**Measures Introduced:** One bill and one resolution were introduced, as follows: S. 3716, and S. Res. 630. **Page S8665**

**Measures Reported:**

Report to accompany S. 692, to improve hurricane preparedness by establishing the National Hurricane Research Initiative. (S. Rept. No. 112–266) **Page S8665**

**Measures Passed:**

***Natural Gas Pipelines in Glacier National Park:*** Senate passed H.R. 4606, to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park. **Page S8666**

***Protect Our Kids Act:*** Committee on Health, Education, Labor, and Pensions discharged from further consideration of H.R. 6655, to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect, the bill was then referred to the Committee on Finance and then discharged from further consideration, and the bill was then passed. **Pages S8666–67**

***Taxable Vaccines:*** Senate passed S. 3716, to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines. **Page S8667**

***26th and Final Deployment of the U.S.S. Enterprise:*** Senate agreed to S. Res. 630, congratulating the Navy and the current and former officers and crew of the U.S.S. Enterprise (CVN 65) on completion of the 26th and final deployment of the vessel. **Page S8668**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that on Wednesday, January 2, 2013, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. **Page S8646**

**Resignation of Senator Jim DeMint:** Senator Jim DeMint, of South Carolina, submitted a letter of resignation from the United States Senate, effective January 1, 2013. **Page S8666**

**Presentation of Certificates of Election and Swearing-in of Elected Members-Agreement:** A unanimous-consent agreement was reached providing that when the Senate convenes on Thursday, January 3, 2013, at 12 noon, pursuant to the Constitution, following the presentation of the certificates of election and the swearing-in of elected Members, and the required live quorum. **Page S8668**

**Nominations Confirmed:** Senate confirmed the following nominations:

Erica Lynn Groshen, of New York, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.) **Pages S8666, S8668**

Deborah Ann McCarthy, of Florida, to be Ambassador to the Republic of Lithuania. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Pages S8666, S8668**

Robert F. Godec, of Virginia, to be Ambassador to the Republic of Kenya. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Pages S8666, S8668**

**Messages from the House:** **Pages S8664–65**

**Measures Referred:** **Page S8665**

**Additional Cosponsors:** **Page S9665**

**Statements on Introduced Bills/Resolutions:** **Pages S8665–66**

**Additional Statements:** **Page S8664**

**Adjournment:** Senate convened at 12 noon and adjourned at 5:07 p.m., until 12 noon on Thursday, January 3, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8668.)

## Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 1 resolution, H. Res. 845, was introduced. **Page H7585**

**Additional Cosponsors:** **Page H7585**

**Reports Filed:** Reports were filed today as follows:

Fourth Semiannual Report on the Activity of the Committee on Financial Services for the 112th Congress (H. Rept. 112–742);

Legislative Review and Oversight Activities of the Committee on Foreign Affairs, One Hundred Twelfth Congress (H. Rept. 112–743);

Fourth Semiannual Report on the Activities of the Committee on Armed Services for the One Hundred Twelfth Congress (H. Rept. 112–744); and

Fourth Semiannual Report of Activities of the Committee on Science, Space, and Technology (H. Rept. 112–745). **Page H7585**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Rivera to act as Speaker pro tempore for today. **Page H7567**

**Recess:** The House recessed at 11:50 a.m. and reconvened at 12 noon. **Page H5780**

**Whole Number of the House:** The Speaker announced to the House that, in light of the resignation of the gentleman from South Carolina, Mr. Scott, the whole number of the House is 431. **Page H7580**

**Recess:** The House recessed at 12:12 p.m. and reconvened at 12:35 p.m. **Page H7580**

**Sexual Assault Forensic Evidence Registry Act of 2012:** The House agreed to take from the Speaker's table and pass S. 3250, to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, with amendments. **Pages H7580–84**

Agreed to amend the title so as to read: ''To amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs, and for other purposes.''. **Page H7583**

**Extending the Application of Certain Space Launch Liability Provisions Through 2014:** The House agreed to take from the Speaker's table and concur in the Senate amendment to H.R. 6586, to extend the application of certain space launch liability provisions through 2014. **Pages H7584–85**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow, January 3rd. **Page H7585**

**Quorum Calls—Votes:** There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 12:38 p.m.

## Committee Meetings

No hearings were held.

## Joint Meetings

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR THURSDAY, JANUARY 3, 2013

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

No hearings are scheduled.

*Next Meeting of the* SENATE

12 p.m., Thursday, January 3

Senate Chamber

**Program for Thursday:** Following the presentation of the certificates of election and the swearing-in of elected Members, there will be a required live quorum to convene the 113th Congress. All Senators are asked to report to the floor at that time.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

11 a.m., Thursday, January 3

House Chamber

**Program for Thursday:** House will convene the First Session of the One Hundred Thirteenth Congress.

## Extensions of Remarks, as inserted in this issue

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